

**SOKEMEN AND FREEMEN IN
LATE ANGLO-SAXON EAST
ANGLIA IN COMPARATIVE
CONTEXT**

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12th January 2011

This dissertation is submitted for the degree of Doctor of
Philosophy

Summary of Dissertation

Sokemen and Freemen in Late Anglo-Saxon East Anglia in Comparative Context

Emma Day

The dissertation is an investigation into sokemen and freemen, a group of higher status peasants, in tenth- and eleventh-century East Anglia (hereafter and throughout the dissertation referred to as less dependent tenants). The study considers four themes. The first concerns the socio-economic condition of less dependent tenants. Previous commentators have focused on, for example, light or non-existent labour services and a connection with royal service and public obligations, but the reality may have been more complex. The second theme considers the distribution of the group across East Anglia. The third and fourth themes consider, respectively, the reliability of the Domesday evidence for less dependent tenants and how far the eastern counties differed from the rest of England. It has been argued that the significant number of less dependent tenants recorded in the eastern counties in Domesday Book indicates that region's unique social structure. This view increasingly has been questioned.

The dissertation uses a partially retrogressive approach, combining pre-Conquest sources with Domesday Book and manorial sources from the twelfth and thirteenth centuries. It argues that less dependent tenants formed a varied group, including both smallholders (probably constituting the greater part of the group) and prosperous landholders defined by high-status service. These individuals were not always clearly distinguished from those immediately above and below them in the hierarchy. There was no intrinsic connection between less dependent tenants and royal service. Less dependent tenants experienced upward and downward social mobility in the tenth and eleventh centuries, affected by the land market and the influence of lordship. The

group's local distribution, and, by implication, the extent of manorialisation, could vary widely and was influenced primarily by the strength of lordship. There were longstanding and important differences between East Anglia and counties elsewhere in England. But these differences also were exaggerated by the Domesday evidence.

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Preface

This dissertation does not exceed 80,000 words in length, excluding footnotes, references and bibliography. Statistical tables and graphs have been counted as 150 words per graph or per table.

This dissertation is the result of my own work and it includes nothing which is the outcome of work done in collaboration. It is not substantially the same as any that I have submitted or will be submitting for a degree or diploma or any other qualification at any other university. A section in Chapter Two of this dissertation draws upon a dissertation submitted for the degree of Bachelor of Arts at the University of Cambridge in 2006 and reproduces a map included within that earlier dissertation. This is indicated at the appropriate point in the text.

The University Library copy of this dissertation and of the dissertation summary may be freely consulted and copied.

Acknowledgements

I would like to thank Simon Keynes for allowing me to use his as-yet unpublished version of the *Libellus Æthelwoldi Episcopi* in research for this dissertation. I am also grateful to David Pratt for allowing me to see work in advance of publication.

I am grateful to David Stone for his comments on my research when in its very early stages, and for useful advice concerning the thirteenth-century Ely manorial surveys. Members of the Economic and Social History Workshop, the Medieval History Research Seminar and the Medieval Economic and Social History Seminar provided useful comments and suggestions.

The staff at the Cambridge University Library were always helpful when answering queries and locating material.

This research would not have been possible without the support of a Domestic Research Studentship from the University of Cambridge, for which I am very grateful.

Finally, I would to thank my supervisors. David Pratt provided invaluable advice and spent many hours reading drafts and suggesting improvements. Richard Smith advised on many aspects of the post-Conquest situation and also spent time looking over drafts at various stages during my research.

Note on Foreign Language Material

Where Latin or Old English texts are quoted, a modern English translation is given in the main text and the original may be found in the footnotes. The editions (and, where appropriate, translations) used in research for this dissertation and from which quotations are taken are specified in the text or footnotes where appropriate. Old English names are reproduced in the form given either in the English translation of the original text that was used in research for this dissertation, or, if a translation is not available, in the edition of the text used.

Note on Units of Measurement and Currency

Land areas in the Anglo-Saxon period typically were measured in hides and acres. In this dissertation, a hide is assumed to contain 120 acres unless stated otherwise. A virgate is assumed to have contained 30 acres unless stated otherwise. In calculations involving currency, a pound has been taken as 240 pennies; a shilling as twelve pennies; and a mancus as thirty pennies.

Abbreviations

Æthelstan; Ine	The laws of that king as edited in F. Liebermann, <i>Die Gesetze der Angelsachsen</i> . 3 vols. (Halle, 1903-16) and translated in F. Attenborough, <i>The Laws of the Earliest English Kings</i> (Cambridge, 1922) and EHD, I, nos. 29-53.
B	W. de G. Birch, <i>Cartularium Saxonicum</i> (London, 1855-93)
<i>Cartularium</i>	<i>Cartularium Monasterii de Rameseia</i> , 3 vols., eds. W. H. Hart and P. A. Lyons (London, 1884-1893)
Coucher Book	Cambridge, University Library, Ely Diocesan Records, Old Coucher Book (1251)
DB	Domesday Book as translated in <i>Domesday Book</i> , eds. A. Williams and R. W. H. Erskine (London: Alecto Historical Editions, 1987-1992) and as edited and translated in <i>Domesday Book</i> , ed. J. Morris, 35 vols. (Chichester, 1975-86).
EHD	<i>English Historical Documents</i>
Exon	<i>Liber Exoniensis</i> as edited in <i>Libri Censualis, vocati Domesday Book, Additamenta ex Codic. Antiquiss. Exon Domesday; Inquisitio Eliensis; Liber Winton; Boldon Book</i> , ed. H. Ellis (London, 1816).
ICC	<i>Inquisitio Comitatus Cantabrigiensis</i> , ed. N. E. S. A. Hamilton (London, 1876)
IE	<i>Inquisitio Eliensis</i> in, <i>Inquisitio Comitatus Cantabrigiensis</i> , ed. N. E. S. A. Hamilton (London, 1876), pp. 97-168
K	J. M. Kemble, <i>Codex Diplomaticus Aevi Saxonici</i> (London, 1839-42)

- Kalendar* *The Kalendar of Abbot Samson of Bury St Edmunds*, ed. R. H. C. Davis (London, 1954)
- LAE *Libellus Æthelwoldi Episcopi* as edited in *Liber Eliensis*, ed. E. O. Blake (London, 1962), pp. 65-117 and translated in *The Book of Bishop Æthelwold (Libellus Æthelwoldi Episcopi): On the Refoundation and Endowment of Ely Abbey in the 970s*, eds. and trans. S. Keynes and A. Kennedy (forthcoming) and *Liber Eliensis: A History of the Isle of Ely from the Seventh to the Twelfth Century*, ed. and trans. J. Fairweather (Woodbridge, 2005), pp. 84-140.
- LE *Liber Eliensis*, ed. E. O. Blake (London, 1962), translated in *Liber Eliensis: A History of the Isle of Ely from the Seventh to the Twelfth Century*, ed. and trans. J. Fairweather (Woodbridge, 2005)
- LHP *Leges Henrici Primi*, ed. and trans., L. J. Downer (Oxford, 1972)
- Regesta* H. W. C. Davis et al, *Regesta Regum Anglo-Normannorum, 1066-1154* (Oxford, 1913-69)
- RSP *Rectitudines Singularum Personarum* as edited in F. Liebermann, *Die Gesetze der Angelsachsen*, I (Halle, 1903), pp. 444-55 and translated in M. J. Swanton, *Anglo-Saxon Prose* (London, 1975), pp. 21-7
- S Kelly, S. E. and Miller, S. M., *Electronic Sawyer*
<http://www.trin.cam.ac.uk/chartwww/sawyer.99/esawyer2.html>;
P. H. Sawyer, *Anglo-Saxon Charters: An Annotated List and Bibliography* (London, 1968)
- VCH Cambs L. F. Salzman et al, *The Victoria History of the County of Cambridgeshire and the Isle of Ely* (London, 1938-1989)
- VCH Hunts W. Page and G. Proby et al, *The Victoria History of the County of Huntingdon* (1926-36)

Introduction

The sokemen and freemen recorded in Domesday Book have long been debated by historians. It is clear that these individuals formed the upper ranks of the peasantry, but we know little about their socio-economic and tenurial situation. Moreover, the near uniqueness of these individuals in the Domesday record to the Danelaw counties in the east and north of England, when coupled with the more independent aspects of their condition, has caused considerable debate. It has been asked whether sokemen represent the specific less manorialised social structure of the Danelaw, or if their presence in these areas is merely a product of the way in which the Domesday evidence was recorded. Despite these important questions, however, freemen and sokemen rarely have been studied in their own right. Important studies, such as those by Faith and Hadley, have only considered sokemen as part of a wider discussion.¹

This dissertation is a regional study that considers the condition of sokemen and freemen in East Anglia. It includes aspects of their tenurial, social and economic situation as well as a consideration of the Domesday evidence and the particular social structure of the East Anglia. One difficulty involved in a study such as this is the lack of detailed manorial evidence for the Anglo-Saxon period. This dissertation uses a partially retrogressive approach, therefore, analysing more detailed manorial surveys from the twelfth and thirteenth centuries and comparing these with the situation described in Domesday Book and in pre-Conquest sources.

The first part of this Introduction provides important definitions and distinctions, discussing sokemen and freemen and related terminology; the Danelaw; and sokemen and freemen in the common law period. The second part discusses aspects of the

¹ Faith, *English Peasantry*; Hadley, *Northern Danelaw*; Joy, 'Sokeright'.

background and historiography. The final part discusses the approach taken in this dissertation and the evidence used.

Definitions

Sokemen and freemen

Sokemen and freemen (*sochemanni* and *liberi homines*) were a group of higher status peasants recorded in Domesday Book almost uniquely in the Danelaw shires of England.² They were recorded separately from the more dependent *villani* and *bordarii* in manorial entries. Their land often was recorded and valued independently while that of the *villani* and *bordarii* typically was not. Although many sokemen and freemen were not significantly more prosperous than the dependent peasantry, some held large areas of land. In Preston, Suffolk, a freeman held three carucates.³ Sokemen and freemen probably had greater rights over their land than dependent peasants. Domesday Book frequently records whether or not they could give or sell their land, or ‘go with their land where they would’. Descriptions of sokemen and freemen and similar individuals in early twelfth-century manorial surveys, and in pre-Conquest surveys which record individuals similar in status, suggest that freemen and sokemen owed fewer and lighter labour services than other peasants.⁴ The characteristics of sokemen and freemen upon

² Discussions of freemen and sokemen as a social category within Domesday Book include Harvey, ‘Domesday England’, pp. 69-78; Hadley, *Northern Danelaw*, pp. 180-9; Maitland, *Domesday Book and Beyond*, pp. 66-79; Vinogradoff, *English Society*, pp. 431ff.

³ DB, II, 359v.

which most historians would agree include, therefore, relative independence from the manor, and the possession of more rights, fewer obligations and more land than other peasants.⁵ A further issue is the inconsistency with which sokemen and freemen were distributed across the eastern counties. According to Domesday Book, there were, for example, 5,410 sokemen in Norfolk in 1086, yet only just over 100 sokemen were recorded in Cambridgeshire for the same period.⁶ The reality of this distribution has been the subject of some debate. Importantly, the uniqueness of sokemen and freemen to the eastern counties also has been questioned.

The detailed historiography concerning freemen and sokemen is considered below. It is, however, necessary to clarify two terminological issues. First, this dissertation is about individuals who were known as sokemen and freemen in Domesday Book yet the terminology used to denote status in the Anglo-Saxon and Domesday period could be very fluid. ‘Sokemen’ and ‘freemen’ appear rarely in pre-Conquest East Anglian documents. Instead, one finds individuals described as *cnihtas* or as *geneatas*, as well as people whose status is not stated specifically but who were clearly equivalent to higher status peasants. *Cnihtas* and *geneatas*, and others apparently similar in status but called by different terminology, also were recorded outside the eastern counties of England in pre-Conquest documents. The connection between those recorded outside the eastern counties and those recorded in East Anglia is a matter for debate. It will, however, be necessary to discuss those recorded outside East Anglia in the course of this dissertation, and to find a word to describe them that reflects their basic similarity to the

⁴ For example, *Kalendar; Chronicon Petroburgense*, ed. Stapleton; *Charters and Custumals of the Abbey of Holy Trinity, Caen*, ed. Chibnall; ‘Burton Abbey Surveys’, ed. Bridgeman; RSP (see n. below); the possibly mid-tenth-century survey of Tidenham, Gloucestershire (Robertson, *Charters*, no. 109; S 1555); and the c. 900 survey of Hurstbourne Priors, Hampshire (Robertson, *Charters*, no. 110; S 359). The date of the Hurstbourne survey has been the subject of some debate, see Chapter One, p. 36. For the date of the Tidenham survey see Faith, ‘Tidenham’, p. 40.

⁵ See works cited in p. 2, n. 2 above and also Faith, *English Peasantry*, chs. 4 and 5; Joy, ‘Sokeright’, ch. 6.

⁶ Figures taken from Darby, *Domesday Geography*, pp. 338-43.

sokemen and freemen recorded in Domesday Book. In Domesday Book, the terms 'sokemen' and 'freemen' themselves were used inconsistently. In certain counties, including Cambridgeshire, no 'freemen' were recorded. Instead, 'sokemen' was used to refer to those that would have been termed 'freemen' elsewhere as well as those who would have been known as 'sokemen'.

For all these reasons, sokemen and freemen and all individuals of identical or similar status will be referred to collectively as 'less dependent tenants' throughout this dissertation. This term reflects the ambiguity of the group's status. In a later period, freemen would be distinguished from the rest of the peasantry because they were not villeins - they were legally free. In the Anglo-Saxon period, however, all peasants who were not slaves were 'free' and thus had access to public courts and a wergeld of two hundred shillings, regardless of socio-economic position. Sokemen and freemen may be distinguished from dependent peasants only because they were relatively 'less dependent' upon their lords, in the sense that they had greater freedom of tenure and owed lighter obligations. It is also appropriate to refer to these people not as 'peasants' but, more neutrally, as 'tenants'. A peasant is defined by Chris Wickham as an individual who cultivates the land primarily for subsistence and who does 'at least some...agricultural work personally'.⁷ While most sokemen and freemen probably conformed to this definition, the group also contained prosperous individuals whose economic position was not far below that of some nobles and who cannot easily be called 'peasants'. All those in a more dependent position than sokemen and freemen and those of an equivalent status are referred to in this dissertation as 'dependent peasants'. This group includes the *villani* and *bordarii* recorded in Domesday Book. We cannot be certain of the precise condition of these individuals, although many may have been similar to the *cotsetla* and *gebur* recorded in a tenth-century treatise of estate

⁷ Wickham, *Framing*, p. 392.

management and discussed in Chapter One.⁸ It is important to note that the term *villanus* in the pre-Conquest period did not have same connotations of un-freedom that it acquired in the common law period. In the pre-Conquest period, *villanus* simply meant ‘villager’ and might in theory be used of any peasant, including a less dependent tenant (although the *villani* recorded in Domesday Book were probably more dependent in condition than the sokemen and freemen).

The second issue concerns the meaning of ‘soke’ and the words derived from it, which include the term ‘sokeman’. Because ‘soke’ is contained within the word ‘sokeman’ and because many the words derived from ‘soke’ are associated with the eastern counties of England it might seem natural to link sokemen and freemen specifically with the concept of soke. This is possible only up to a point, however. Not all terms derived from the word ‘soke’ had a direct relationship with the East Anglian sokemen. It is possible to distinguish four key uses of soke and derived words in Domesday Book.⁹ Soke could describe the obligations incumbent on an area of land and its inhabitants (soke or sake and soke), a territorial unit (a soke), a type of land (sokeland), or a type of peasant (sokeman). The first three of these, and their relationship with the sokeman, are discussed below. Rights of soke or sake and soke (*saca et soca*), frequently granted away to lords by the king, appear throughout Domesday Book. ‘Soke’ derives from the Old English *socn*, meaning the act of seeking, generally thought to have implied the seeking of justice or jurisdiction.¹⁰ Sake, on the other hand, can be linked to *sac*, meaning a dispute or cause.¹¹ Rights of sake and soke have been seen as a survival of more ancient forms of landholding and lordship.¹² Baxter has suggested that ancient customs had ‘fossilised’ into two related forms of soke in the eleventh century –

⁸ RSP; Chapter One, pp. 31-5.

⁹ Hadley, *Northern Danelaw*, pp. 167-8; Joy, ‘Sokeright’, pp. 419-20.

¹⁰ Hadley, *Northern Danelaw*, p. 167.

¹¹ Hadley, *Northern Danelaw*, p. 168.

¹² Baxter, *Earls of Mercia*, p. 210; Faith, *English Peasantry*, pp. 1-14 and pp. 89-125; Reynolds, *Fiefs and Vassals*, pp. 338-40.

jurisdictional soke, and soke that consisted of miscellaneous customary dues – although such strict categorisation may be unnecessary.¹³ What rights of soke involved when they were granted away has been the subject of some debate. Maitland's view, echoed by others, was that lords who held with sake and soke possessed delegated royal authority and held a form of franchisal jurisdiction.¹⁴ Most recent historians, including Wormald, have concluded, however, that soke jurisdiction did not include the right to hold a private court. The right of a soke lord was merely to receive the fines incurred by his men in the public courts.¹⁵ A further argument, rejected by Baxter, has concerned the possible connection between rights of sake and soke and the tenure of bookland.¹⁶ Rights of soke are relevant to a discussion of freemen and sokemen for two reasons. First, some 'definitions' of the sokemen have associated this group with the obligation to provide the customary renders, and sometimes with the 'jurisdiction', associated with sake and soke and extensive lordship. These views are discussed in the following section. Second, the relationship between freemen and sokemen and their soke lord may have had some influence on their socio-economic conditions.¹⁷

It is possible to distinguish two kinds of territorial soke. The first, also referred to as an immunity or liberty, consisted of a region, often a contiguous group of hundreds, over which rights of sake and soke had been granted by the king. This dissertation features the sokes of the two hundreds of Ely Abbey in Cambridgeshire, the eight and a half hundreds of Bury St Edmunds in Suffolk, and the five and a half Wicklow hundreds

¹³ Baxter, *Earls of Mercia*, pp. 210-11. See also, Joy, 'Sokeright', pp. 419-21.

¹⁴ Maitland, *Domesday Book and Beyond*, pp. 80-104. Vinogradoff, *English Society*, pp. 411-13; Seebohm, *English Village Community*, p. 18; Stenton, *Anglo-Saxon England*, pp. 494-5; Cam, 'The "Private Hundred"', pp. 59-70; Harmer, *Anglo-Saxon Writs*, pp. 73-85 and pp. 123-31; Loyn, 'The Hundred in England', pp. 10-15.

¹⁵ Wormald, 'Lordship and Justice', esp. pp. 129-30; Baxter, *Earls of Mercia*, pp. 210-11. See also, Joy, 'Sokeright', p. 419 and Hadley, *Northern Danelaw*, pp. 168-9.

¹⁶ Roffe, 'Thegnage to Barony', pp. 164-8; Hadley, *Northern Danelaw*, pp. 168-9. For an alternative view, see Baxter, *Earls of Mercia*, pp. 239-40.

¹⁷ This issue is discussed in Chapters Four, pp. 155-63 and Six, pp. 221-7.

of Ely, also in Suffolk.¹⁸ There is no real connection between these sokes and sokemen; tenants of all social statuses might hold land within them. The socio-economic situation of sokemen may have been affected by landholding within a territorial soke, however. The second type of soke was a large multiple estate.¹⁹ These were usually independent of the administrative structure of the region where they were located, and their lords did not always have sake and soke over all that held land within them. This second type could be found predominantly in the northern Danelaw in the pre-Conquest period although a small number also may have existed in East Anglia.²⁰ For this reason, this second type of soke is not discussed in detail in this dissertation.

‘Sokeland’ was a feature of the manorial geography of, primarily, the northern Danelaw. According to Stenton, ‘inland’ was the land immediately surrounding a manor, under the direct ‘control’ of its lord; ‘sokeland’ was outlying land over which the lord had only certain rights.²¹ Dependent peasants generally were found on the inland, freemen and sokemen on the sokeland. While sokeland did exist outside the northern Danelaw, it was not an important feature of the area studied in this dissertation.

¹⁸ On the sokes of Ely, see Keynes, ‘Ely Abbey, 672-1109’, pp. 21-2; Kennedy, ‘Law and Litigation’, pp. 149-52; Miller, *Abbey and Bishopric of Ely*, pp. 25-35; Warner, ‘Territorial and Administrative Organisation’. On the soke of Bury, see Baxter, ‘Lordship and Justice’, pp. 388ff.

¹⁹ Hadley, *Northern Danelaw*, pp. 108-15 and p. 105; Hart, *Danelaw*, ch. 8. See also Faith, ‘Topography and Social Structure of a Small Soke’.

²⁰ For sokes in East Anglia, see Douglas, *Social Structure*, pp. 180-4; Hart, *Danelaw*, pp. 72-4. See Chapter Seven, pp. 272-3.

²¹ Stenton, *Manorial Structure*, pp. 6-10; Hadley, *Northern Danelaw*, pp. 108-15; Faith, *English Peasantry*, p. 90.

The Danelaw

The Danelaw was an area of Scandinavian influence and custom corresponding in general terms to the region north and east of the boundary agreed by Alfred and Guthrum following the ninth-century Viking invasions (see Map 1).²² The term ‘Danelaw’ is not contemporary. The word *Dena lagu* was first employed in the eleventh century by Wulfstan to describe the ‘law of the Danes’ used in the north and east of England.²³ It is probable that the word ‘Danelaw’ was not used in the territorial sense until the twelfth century.²⁴ The Danelaw can be divided, broadly speaking, into the northern Danelaw, East Anglia and the southern Danelaw. The northern Danelaw comprised, according to Stenton, Yorkshire, Lincolnshire, Nottinghamshire, Derbyshire, Leicestershire and Rutland.²⁵ East Anglia might, in relation to the Anglo-Saxon period, be used to mean Norfolk and Suffolk. In this dissertation, East Anglia is defined as a broader area including Cambridgeshire, Huntingdonshire, Norfolk and Suffolk. Freeman and sokemen are found in Domesday Book in Cambridgeshire and Huntingdonshire as well as in Norfolk and Suffolk. Cambridgeshire offers in addition important source material for the situation of less dependent tenants in the pre-Conquest period in the form of the *Libellus Æthelwoldi Episcopi*, a twelfth-century cartulary chronicle to be discussed later in this Introduction. The Danelaw also included a number of other counties towards the southeast of England not studied in this dissertation, including Northamptonshire, Hertfordshire and Bedfordshire.

²² Higham, ‘Danelaw’. For the Alfred-Guthrum Treaty, see Davis, ‘Alfred and Guthrum’s Frontier’; Kershaw, ‘Alfred-Guthrum Treaty’. For an alternative interpretation of the frontier, see Dumville, ‘Treaty of Alfred and Guthrum’. For the dating of the Treaty, see Keynes, ‘King Alfred and the Mercians’, pp. 31-4.

²³ Innes, ‘Danelaw Identities’, p. 76.

²⁴ Innes, ‘Danelaw Identities’, pp. 76-7.

²⁵ Stenton, *Manorial Structure*, pp. 3-4.



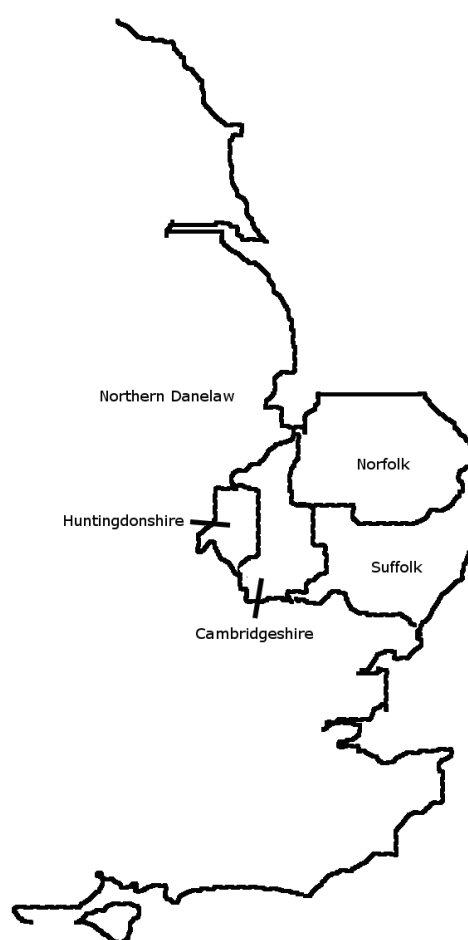
*Map 1: The Danelaw as demarcated by the Alfred-Guthrum Treaty (880*890)*

The northern Danelaw was divided for administrative purposes into wapentakes and carucates. In Norfolk and Suffolk there were hundreds, yet the land was divided into carucates, while Cambridgeshire and Huntingdonshire were divided into hundreds and hidated. The manorial structure of the northern Danelaw was characterised primarily by large, but fragmented, manors divided into inland, berewicks and sokeland.²⁶ In East Anglia, especially in Norfolk and Suffolk, the manorial structure was fragmented with many small manors and large numbers of unmanorialised villages with no demesne land and where much of the land was held by less dependent tenants.²⁷ There were a number of ecclesiastical institutions in East Anglia, most notably Ely Abbey in Cambridgeshire

²⁶ Stenton, *Manorial Structure*, pp. 4-17; Hadley, *Northern Danelaw*, ch. 3.

²⁷ On East Anglia, see Bailey, *Medieval Suffolk*; Williamson, *Origins of Norfolk*; Warner, *Origins of Suffolk*.

and Bury St Edmunds in Suffolk. The precise geographical area studied in this dissertation and the reasons for this choice are set out in the final section of this Introduction. The historiography surrounding the near uniqueness in Domesday Book of freemen and sokemen to the Danelaw also is considered in a later section. The differences between East Anglia and the northern Danelaw, and between different shires in East Anglia, are discussed in Chapter Seven.



Map 2: East Anglia

Sokemen and the common law

It is important to emphasise the distinction between the less dependent tenants recorded in Domesday Book and in the pre-Conquest period and the ‘sokemen’ and ‘freemen’ recorded after the introduction of common law villeinage in the late twelfth century.²⁸ This dissertation makes use of evidence from the common law period, and also attempts to connect the later twelfth-century social situation to that which existed at the time of Domesday. A number of legal developments took place during the reign of Henry II, the most important of which concerned litigation over land. It became the rule that no one should appear in a public court in relation to their free tenement without a royal writ. Those whose land was not ‘free’ would be, by definition, excluded from the royal courts with respect to their land. It became important, therefore, to find precise ways of defining ‘free’ tenure, and it was in doing this that common law criteria of ‘unfree’ tenure were developed. Those who held in ‘pure’ villeinage eventually came to be seen as personally unfree as well as unfree with respect to tenure and were distinguished from freemen and free sokemen. Another socio-legal category, the villein sokemen, was also created in this period. Villein socage was a privileged form of villeinage.²⁹ Villein sokemen were unfree and subject to the same servile works and dues as ordinary villeins, but were protected against increases in rent and ejection from their holdings.³⁰ Villein socage is thought to have been limited to lands of the ancient royal demesne, that is, lands that either were currently in the royal demesne or which

²⁸On villeinage, see Miller and Hatcher, *Medieval England*, pp. 111-33; Hyams, *King, Lords and Peasants*; Vinogradoff, *Villainage in England*; Milsom, *Legal Framework of English Feudalism*; Pollock and Maitland, *History of English Law*, I, 356-83 and 412-32; Faith, *English Peasantry*, ch. 10.

²⁹ Pollock and Maitland, *History of English Law*, I, 194-5; Hyams, *King, Lords and Peasants*, pp. 194-5.

³⁰ Hyams, *King, Lords and Peasants*, pp. 194-5.

had been at the time of Domesday.³¹ The origins of villein socage are unclear. According to Hyams, the category may have been created artificially to protect peasant tenants on royal lands so that the king could receive tallage from them.³² It also has been suggested that the distinction between villein and ordinary sokemen had its origins in earlier events, however. Villein sokemen have been described as the descendents of some Domesday sokemen reduced to a more servile status following the Conquest.³³

Caution needs to be used, therefore, when comparing pre-Conquest documents with documents from the late twelfth and thirteenth centuries. While the distinction between less dependent tenants and the dependent peasantry in the pre-Conquest period was primarily socio-economic and tenurial, by the late twelfth century the classification of the peasantry had taken on a new legal and personal element. Equally, there could be a degree of artificiality involved in this new categorisation.³⁴ It is not necessarily the case that an individual who would have been called a sokeman or a freeman at the time of Domesday would have been considered a freeman or a sokeman according to the common law. Moreover villein sokemen, although possibly the descendents of Domesday sokemen, may not be entirely comparable with their pre-Conquest counterparts since, unlike other less dependent tenants in the common law period, they were not fully free. The reasons for a retrogressive approach are discussed in the final section of this Introduction.

The tenure by which most free sokemen and freemen held in the post-Conquest period was known as socage tenure. As will be argued in Chapter Six, this tenure may not be clearly connected to the tenure of sokemen and freemen in the pre-Conquest period.³⁵ No reference will be made therefore to socage tenure when discussing the

³¹ Pollock and Maitland, *History of English Law*, I, 194-5.

³² Hyams, *King, Lords and Peasants*, pp. 221-65.

³³ Vinogradoff, *Villainage in England*, pp. 89ff; Joy, 'Sokeright', p. 346; Faith, *English Peasantry*, pp. 261-2.

³⁴ Hyams, *King, Lords and Peasants*, pp. 221-65, esp. pp. 240-1 and pp. 246-8.

situation of less dependent tenants according to pre-Conquest documents or according to Domesday Book.

Background and historiography

This section considers three themes. The first concerns various attempts made to define and categorise sokemen and freemen. The second deals more generally with manorialisation in the late Anglo-Saxon period, peasant status and social mobility. The third concerns the relationship between sokemen and freemen and the Danelaw.

Defining sokemen and freemen

A number of attempts have been made to define the sokeman. Seebohm suggested that sokemen were an essential component of any court.³⁶ This specific suggestion was not repeated elsewhere, but the obligation to provide suit of court, accompanied by relative independence from manorial discipline, remained the characteristic of sokemen most consistently cited in the early research, for example by Maitland and Vinogradoff.³⁷ Stenton wrote that the suit of court obligation, backed up

³⁵ For socage tenure see Reynolds, *Fiefs and Vassals*, pp. 354-5; Joy, 'Sokeright', pp. 375-8; Faith, *English Peasantry*, pp. 136-7, Pollock and Maitland, *History of English Law*, I, 291-6 and II, 269-70. See Chapter Six, pp. 218-20.

³⁶ Seebohm, *English Village Community*, p. 88. The reference is to DB, I, 193v. At Orwell, Cambridge, Picot lent three sokemen to Earl Roger so that he could 'hold his pleas'.

³⁷ Maitland, *Domesday Book and Beyond*, pp. 66-79; Vinogradoff, *English Society*, pp. 411-13 and p. 439.

by ‘personal and economic independence’ was the ‘salient’ characteristic of the sokemen.³⁸

More recently, Joy has argued that sokemen were defined uniquely by the fact that they rendered ancient royal dues, a characteristic also emphasised by Davis.³⁹ In an important work, Faith distinguished the dependent tenants who held land on a lord’s inland, and the less dependent tenants whose farms were located on what she termed the ‘warland’ (land assessed for public obligations and over which a lord had more limited rights).⁴⁰ According to this view, less dependent tenants were, by virtue of their warland holdings, responsible for the geld and other public obligations. Hadley has suggested that sokemen were not ‘tenants’ of their lords, but held their lands more or less in their own right.⁴¹

It may not be appropriate to associate recorded social categories with precise definitions, however. While there has been relatively little research on the Anglo-Saxon peasantry, extensive work on the post-Conquest situation has highlighted the variety of conditions that medieval peasants experienced.⁴² Similar issues have been studied in relation to early medieval continental evidence, for example by Wickham.⁴³ Variation between individuals is discussed further in the following section.

Attempts have also been made to differentiate between sokemen and freemen. Maitland suggested that the two groups differed slightly in social status, but were of near

³⁸ Stenton, *Anglo-Saxon England*, pp. 515-16.

³⁹ Joy, ‘Sokeright’, pp. 288-90; Davis, ‘Introduction’ in *Kalendar*; Davis, ‘East Anglia’. See also Hadley, *Northern Danelaw*, pp. 183-5.

⁴⁰ Faith, *English Peasantry*, chs. 2-5. The reality of ‘warland’ has been questioned, however, in Pratt, ‘Taxation and Manorial Structures’.

⁴¹ Reynolds, ‘Bookland’, p. 222; Hadley, *Northern Danelaw*, pp. 169-70.

⁴² For example, Miller, *Abbey and Bishopric of Ely*, ch. 5; Douglas, *Social Structure*; Kosminsky, *Studies in Agrarian History*, ch. 4; Lennard, *Rural England*, chs. 9 and 11; Dyer, *Lords and Peasants*, ch. 4; Dyer, *Standards of Living*, ch. 5; Dyer, *Making a Living*, ch. 5; Hanawalt, *Ties that Bound*; Schofield, *Peasant and Community*; Bailey, *Medieval Suffolk*, ch. 3; Smith, *Land Kinship and Lifecycle*, chs. 2-4; Hatcher, ‘English Serfdom’; Bailey, ‘Villeinage in England’.

⁴³ Wickham, *Framing*, for example pp. 386-93; Duby, *Rural Economy*, I, II and III, chs. 1-2; Bonnassie, *Slavery to Feudalism*; Reynolds, *Fiefs and Vassals*, ch. 5 (on Francia) and ch. 9 (on Germany). A useful survey of some of the historiography is provided in Hadley, *Northern Danelaw*, ch. 2.

equivalent legal and economic condition.⁴⁴ Vinogradoff noted that sokemen often were unable to depart from their land, but found many exceptions to this rule.⁴⁵ Joy compared the total numbers of freemen and sokemen recorded for different counties in Domesday Book and concluded that the terms must have been used interchangeably.⁴⁶ She nevertheless attempted to find some distinction between the two groups, suggesting that sokemen were, amongst other things, unable to depart easily from their land.⁴⁷ The overall validity of these distinctions has been questioned, however. Neither freemen nor sokemen formed a 'homogeneous group' by the eleventh century. They may have been indistinguishable even to contemporaries and the relevant terminology was used inconsistently in Domesday Book.⁴⁸

Peasant status, manorialisation and social mobility

The early historiography, including work by Maitland, Vinogradoff and Stenton emphasised the freedom of the Anglo-Saxon peasantry and the late appearance of manorialisation.⁴⁹ While the existence of slavery was acknowledged, it was thought that early English society was based primarily around the free ceorl, a peasant landowner who usually held one hide of land, owed only royal dues, and was a suitor to the public courts. The ceorl's situation started to decline only by the eleventh century, but the most significant depression in status occurred after the Conquest. Stenton expanded on these

⁴⁴ Maitland, *Domesday Book and Beyond*, pp. 104-7.

⁴⁵ Vinogradoff, *English Society*, pp. 432-5.

⁴⁶ Joy, 'Sokeright', pp. 301-5.

⁴⁷ Joy, 'Sokeright', pp. 307-8.

⁴⁸ Hadley, *Northern Danelaw*, p. 188; Harvey, 'Domesday England', pp. 69-78, esp. p. 73.

⁴⁹ Maitland, *Domesday Book and Beyond*, pp. 318-56; Vinogradoff, *Growth of the Manor*, pp. 129-30; Stenton, *Anglo-Saxon England*, pp. 278-80 and pp. 470-2; Loyn, *Anglo-Saxon England*, pp. 163-70; Loyn, 'The Free Anglo Saxon'.

ideas in an important article.⁵⁰ He argued that despite the general decline in peasant status in the late Anglo-Saxon period, there were opportunities for social advancement and certain ceorls may have been able to rise into the ranks of the thegns. The unification of the English kingdom and the subsequent growth in bureaucracy meant that kings needed trusted officials, yet might not have been able to find sufficient recruits from amongst those who were thegns by birth. This argument, as will be seen later, is equally a part of the more recent historiography. Important objections were raised by Aston and others.⁵¹ Aston wrote that the manor had always been part of the English economy and society and that most peasants had always been subject to seigneurial control.

More recent historiography has been characterised by more nuanced studies, including those by Hadley, Faith and Pelteret, that focus on variation between individuals.⁵² Faith has discussed the growth of manorialisation and the depression of the peasantry in the late Anglo-Saxon period, and, especially, in the period immediately following the Conquest. She distinguished, however, the conditions of the dependent peasantry from those of less dependent tenants (a heterogeneous group, in this view).⁵³ It should be noted, however, that many of the ideas underpinning the more recent debate had already been put forward in the early twentieth century, for example by Douglas.⁵⁴

Variation and complexity has been attributed to a number of factors by historians working on both pre-Conquest and post-Conquest evidence. By the eleventh century, the English economy was becoming increasingly commercialised.⁵⁵ This has been attributed

⁵⁰ Stenton, 'Thriving of the Anglo-Saxon Ceorl'.

⁵¹ Aston, 'Origins of the Manor'. See also Stephenson, *Mediaeval Institutions*, p. 244; Seebohm, *English Village Community*, p. 423.

⁵² Hadley, *Northern Danelaw*; Faith, *English Peasantry*; Pelteret, *Slavery*.

⁵³ Faith, *English Peasantry*.

⁵⁴ Douglas, *Social Structure*. See also Miller, *Abbey and Bishopric of Ely*, p. 44 and p. 127.

⁵⁵ Sawyer, 'Wealth of England'; Jones, 'Transaction Costs'; Stafford, *Unification and Conquest*, pp. 201-16; Runciman, 'Accelerating Social Mobility'; Hutchinson, 'Origins of Kings Lynn?'; Fleming, 'Rural Elites and Urban Communities'.

to, amongst other things, population growth, urbanisation, the tenth-century coinage reforms, and trade with the continent. East Anglia especially was wealthy and also had a high population density.⁵⁶ The increased availability of cash in the economy throughout England, together with the growth of trade, towns and non-agricultural occupations, provided new opportunities.⁵⁷ Fleming has written in this context about the rise in conspicuous consumption that occurred in the eleventh century amongst the upper classes due to the possibilities for exchange afforded by a cash economy.⁵⁸ The use of currency did, however, filter down to the peasant classes, albeit on a smaller scale.⁵⁹ Sawyer has remarked upon the increased tendency for less dependent tenants to pay their rents in cash (obtained through the sale of surplus products in the growing markets or through by-employment) during this period.⁶⁰

This may have encouraged a peasant land market.⁶¹ For the most prosperous less dependent tenants this may have been facilitated equally by the break up of larger estates as a result of other processes taking place at the time.⁶² The land market allowed certain

⁵⁶ For example, Hutchinson, 'Origins of Kings Lynn?'; Campbell, 'Hundreds and Leets', pp. 166-7; Hart, *Danelaw*, pp. 103-8; Bailey, *Medieval Suffolk*, pp. 62-3; Wickham, *Framing*, pp. 809-15; Maddicott, 'Prosperity and Power'; Metcalf, 'Monetary Circulation'; Pestell, 'Productive Sites'.

⁵⁷ Runciman, 'Accelerating Social Mobility', pp. 12-15; Stafford, *Unification and Conquest*, pp. 201-16.

⁵⁸ Fleming, 'New Wealth'.

⁵⁹ Fleming, 'New Wealth', p. 18.

⁶⁰ Sawyer, 'Wealth of England', pp. 153-5.

⁶¹ For the peasant land market in the pre-Conquest and post-Conquest period, see, for example, Douglas, *Social Structure*, pp. 61-7; Kosminsky, *Agrarian History of England*, pp. 212-13; Miller, *Abbey and Bishopric*, pp. 130-5; Faith, *English Peasantry*, pp. 139-43; Raban, *Estates of Thorney and Crowland*, esp. p. 65; Dyer, 'Peasant Land Market'; De Windt, 'King's Ripton'; Bailey, *Medieval Suffolk*, p. 60. Hyams, 'Origins of a Peasant Land Market' questions the existence of an early (pre-thirteenth-century) land market, however.

⁶² Dyer, *Making a Living*, p. 30; Stafford, *Unification and Conquest*, p. 206; Faith, *English Peasantry*, pp. 154ff.

individuals to profit greatly at the expense of others.⁶³ A number of studies have described variations in the economic position of less dependent tenants.⁶⁴

Different inheritance practices may have led to regional variation in socio-economic conditions. In relation to the post-Conquest period, it has been noted that partible inheritance, especially common in East Anglia at this time, led to the creation of extremely small holdings which eventually may have ceased to be viable.⁶⁵ In certain circumstances, however, it might also lead to fewer socio-economic difficulties as the resources of the community were more evenly distributed.⁶⁶ Others have doubted the real impact of partible inheritance.⁶⁷ Partible inheritance will be discussed in more detail in Chapter Six.⁶⁸

Hamshere and Harvey have explored different forms of estate management at the time of Domesday and their impact upon peasant tenants.⁶⁹ Smaller estates may have kept a higher proportion of land in demesne in order to maximise efficiency, resulting in greater demands being made upon the local peasantry.⁷⁰ Related to estate management is the nature of lordship. Not all lords were equally able to bring peasants into dependence.⁷¹ Hadley has noted that dispersed estates, comprising different parts of a number of villages, might limit the control that a lord had over the land's inhabitants. Equally, peasants who had settled on newly reclaimed or assarted land (or generally in

⁶³ Runciman, 'Accelerating Social Mobility', pp. 12-13. See works cited in n. 61 above.

⁶⁴ Douglas, *Social Structure*, pp. 60-1; Faith, *English Peasantry*, pp. 139-43; Hadley, *Northern Danelaw*, pp. 182-3; Bailey, *Medieval Suffolk*, pp. 58-9; Lennard, *Rural England*, p. 355; Lennard, 'Economic Position of the Domesday Sokeman'.

⁶⁵ Dodwell, 'Holdings and Inheritance', p. 61; Williamson, 'Norfolk: Thirteenth-Century', pp. 40-1.

⁶⁶ Hallam, 'Thirteenth-Century Censuses'.

⁶⁷ Smith, 'Families and their Property', pp. 38-68; Schofield, 'Market in Free Land', pp. 288-9; Baker, 'Open Fields and Partible Inheritance', pp. 19-20; Williamson, 'Norfolk: Thirteenth-Century', pp. 42-3 and pp. 44-5.

⁶⁸ Chapter Six, pp. 213-6.

⁶⁹ Hamshere, 'Estate Structures in the West Midlands'; Harvey, 'Demesne Agriculture'. 'See also Raftis, *Estates of Ramsey Abbey*, pp. 46ff.

⁷⁰ Harvey, 'Demesne Agriculture'.

⁷¹ Hadley, *Northern Danelaw*, pp. 175-6.

more remote areas) in the post-Conquest period might be sufficiently far from centres of lordship to retain a degree of independence.⁷²

The nature of the social bonds, in particular commendation, that lay between tenant and lord is important. Maitland was famous for writing that ‘mere commendation’ was a weak bond that had little impact on the dependence of an individual on his lord, an assertion that has been undermined by Baxter.⁷³ The extent to which commendation was combined with other bonds may have been significant, however. Joy, following Dodwell, suggested that while commendation could be considered a weak bond on its own, it became significant and territorialised when combined with other ties such as those of tenancy.⁷⁴ Baxter and Williams have studied how individuals combined bonds of soke, commendation and tenure in the eleventh century, observing that, wherever possible, tenants tried to obtain different relationships with different lords.⁷⁵ This issue will be discussed in Chapter Four.⁷⁶

A process that needs to be understood in relation to variations in peasant conditions at the time of Domesday is the increased upward social mobility that occurred amongst some groups in the eleventh century. This was discussed by Stenton in his article on the Anglo-Saxon ceorl and has become a popular subject for debate in more recent times.⁷⁷ It would appear that the socio-economic divide between more prosperous less dependent tenants and thegns was becoming blurred during the eleventh century.

⁷² Faith, *English Peasantry*, pp. 207-8; Williamson, *Origins of Norfolk*, pp. 119-21.

⁷³ Maitland, *Domesday Book and Beyond*, pp. 67-75; Baxter, *Earls of Mercia*, pp. 219-25; Baxter, ‘Lordship and Justice’, pp. 396-8.

⁷⁴ Dodwell, ‘East Anglian Commendation’; Joy, ‘Sokeright’, pp. 283-6.

⁷⁵ Baxter, *Earls of Mercia*, pp. 204-13; Williams, ‘Little Domesday and the English’, pp. 114-15; Baxter, ‘Lordship and Commendation’.

⁷⁶ Chapter Four, pp. 155-63.

⁷⁷ Stenton, ‘Thriving of the Anglo-Saxon Ceorl’, pp. 9-11; Runciman, ‘Accelerating Social Mobility’; Faith, *English Peasantry*, pp. 126-77; Sawyer, ‘Wealth of England’; Senecal, ‘Keeping up with the Godwinesons’; Stafford, *Unification and Conquest*, pp. 201-16; Fleming, ‘New Wealth’; Gillingham, ‘Thegns and Knights’; Lavelle, ‘“All the King’s Men?”’; Williams, ‘A Bell-House and a Burgh-Geat’; Wormald, *Making of English Law*, I, 457-8; Campbell, ‘Aspects of Nobility and Mobility’.

This may be linked partly to the economic developments discussed earlier, including the commercialisation of the economy and the growth of the land market. These changes also coincided with a growth in administration. As Campbell has suggested, there was a need for royal officials as the machinery of government became more complex and also for more general administrators in the field of estate management.⁷⁸ This need promoted social mobility, both because estate officials were in a closer and less servile relationship with their lord, and because promotion to an official position often involved a grant of land. Gillingham and Brooks have discussed the high-status duties that were fulfilled by those who attended upon thegns, and the possibilities for advancement that this entailed.⁷⁹ Baxter and Blair, Oosthuizen and Lavelle have commented upon the importance of grants to royal officials.⁸⁰ It is incidentally notable that the granting away of small areas of land described above also may have been a contributing factor to the development of the land market. The importance of high-status duties and the receipt of land from the king or another lord are discussed in Chapters One and Two.⁸¹

Sokemen and the Danelaw

Much debate has surrounded the origins of the Danelaw's unusual social and administrative arrangements and the extent to which sokemen genuinely were a near unique category to this region. Early scholarship attributed the social structure of the Danelaw, and the particular characteristics of freemen and sokemen, to Danish

⁷⁸ Campbell, 'Agents and Agencies'.

⁷⁹ Gillingham, 'Thegns and Knights', pp. 139ff; Brooks, 'Arms, Status and Warfare', pp. 83-6.

⁸⁰ Baxter and Blair, 'Land Tenure and Royal Patronage'; Oosthuizen, 'Sokemen and Freemen'; Lavelle, "'All the King's Men?'".

⁸¹ Chapter One, pp. 41-6 and pp. 53-5 and Chapter Two, pp. 90-4.

influence. This was the view of Seebohm as well as Vinogradoff and later Stenton.⁸² According to Stenton, who was followed by Finberg, Dodwell and, partially, by Douglas, the Danelaw was an especially ‘free’ area of Britain because the rank and file of the Danish armies, from whom sokemen were descended, had settled in the area and imported their own social system.⁸³ There was always some doubt, expressed by historians including Maitland, as to the importance of Danish influence, however.⁸⁴

The significance of Scandinavian structures in East Anglia was most famously questioned by R.H.C. Davis, who proposed an alternative theory based on the fossilisation of older arrangements in the area.⁸⁵ In this view, peasants equivalent to sokemen had existed in East Anglia before the Danish invasions. Davis then went on to explain the concentration of freemen and sokemen in that region as arising from the particular wealth of the region, which meant that its peasants had not submitted so easily to the pressures of lordship and manorialisation. Davis’s arguments are discussed in Chapters One of this dissertation.⁸⁶ Further contributions were made by Sawyer, who argued against extensive Danish settlement and influence in the Danelaw.⁸⁷

More recent debate has revolved around several different themes. First, the extent of the Danish incursion has been discussed.⁸⁸ Second, a number of studies have

⁸² Vinogradoff, *English Society*, pp. 440-1; Seebohm, *English Village Community*, p. 87; Stenton, ‘The Danes in England’.

⁸³ Stenton, ‘The Danes in England’; Finberg, ‘Anglo-Saxon England to 1042’, pp. 468-81; Dodwell, ‘Free Peasantry of East Anglia’, pp. 151-3; Douglas, *Social Structure*, pp. 29-67.

⁸⁴ Maitland, *Domesday Book and Beyond*, pp. 139-40; Stubbs, *Constitutional History*, pp. 45-51; Douglas, *Social Structure*, pp. 5-6.

⁸⁵ Davis, ‘East Anglia’.

⁸⁶ Chapter One, pp. 49-53.

⁸⁷ Sawyer, *Age of the Vikings*, pp. 123-32; Sawyer, ‘Density of the Danish Settlement’. See also Sawyer, ‘Two Viking Ages of Britain’; Binns, ‘Tenth-Century Carvings’.

⁸⁸ For example, Loyn, *Anglo-Saxon England*, pp. 51-65; Loyn, *Vikings in Britain*; Cameron, *Scandinavian Settlement*; Cameron, ‘Linguistic and Place-Name Evidence’; Cameron, ‘Scandinavian Settlement, part II’; Cameron, ‘Scandinavian Settlement, part III’; Fellows-Jensen, *Scandinavian Personal Names*; Fellows-Jensen, *Scandinavian Settlement Names*; Fellows-Jensen, ‘Conquests and Place-Names’; Lund, ‘The Settlers’; Brooks, ‘England in the Ninth Century’; Abrams and Parsons, ‘Place-Names’. For reviews of the debate see Fellows-Jensen, ‘Vikings in England’; Wormald, ‘Viking Studies’.

discussed the nature of settlement, focusing on the importance of assimilation rather than on the actual numbers of settlers.⁸⁹ Third, the Viking invasions either have been seen as a catalyst for social change in the Danelaw or have been credited with preserving, through the disruption they caused, a particular social structure in the Danelaw that was not preserved elsewhere.⁹⁰ All of these arguments are set out in more detail in Chapter Seven.

If Danish influence was not significant in determining the characteristics of sokemen, one may ask whether sokemen might also have existed outside the Danelaw. A number of historians have questioned the consistency with which freemen and sokemen were recorded in Domesday Book.⁹¹ In particular there has been some debate concerning the possible under-recording of less dependent tenants on the estates of Burton Abbey.⁹² The Domesday evidence is discussed in detail in Chapter Three. Chapter Seven considers the possibility that real differences existed between East Anglia and the rest of England.

⁸⁹ For example, Hadley, ‘“Cockles Amongst the Wheat”’; Hadley, ‘“And they Proceeded to Plough and to Support Themselves”’; Hadley, ‘Hamlet and the Princes of Denmark’; Keynes, ‘Vikings in England’, pp. 63-73; Innes, ‘Danelaw Identities’; Hadley, ‘Viking and Native’; Trafford, ‘Ethnicity, Migration Theory and Historiography’.

⁹⁰ Joy, ‘Sokeright’, p. 422; Hadley, *Northern Danelaw*, pp. 190-1; Campbell, ‘Hundreds and Leets’; Jones, ‘Transaction Costs’; Burghart and Wareham, ‘Agricultural Revolution’; Martin, ‘“Where most Inclosures be?”’, p. 133.

⁹¹ Bridbury, *English Economy*, pp. 108-9; Hadley, *Northern Danelaw*, p. 182; Roffe, ‘*Descriptio Terrarum* of Peterborough Abbey’; Roffe, ‘Domesday Book and Northern Society’.

⁹² Walmsley, ‘The *Censarii* of Burton Abbey’; Baring, ‘Domesday Book and the Burton Cartulary’. See also Roffe, ‘Introduction’, in *Derbyshire Domesday*, at p. 8 and Roffe, ‘Introduction’, in *Lincolnshire Domesday*, at pp. 19-20.

Themes, sources, and outline of the dissertation

This dissertation focuses on four key themes. The first considers the social, economic and tenurial condition of less dependent tenants, and the various roles that different types of less dependent tenant may have played in the socio-economic life of late Anglo-Saxon East Anglia. This theme includes an investigation of the different types of individual that may have existed within the group. The extent to which sokemen and freemen could be differentiated is discussed. The relationship between different kinds of less dependent tenant and other social groups recorded in late Anglo-Saxon England, as well as possibilities for social mobility, are also considered. Finally, this first theme involves the relationship between the characteristics of less dependent tenants in the pre-Conquest period and the characteristics of legally free tenants in the common law period. This theme may help to resolve questions concerning the categorisation and definition of freemen and sokemen and less dependent tenants in general, as well as broader questions concerning the extent of manorialisation in the pre-Conquest period.

The second theme considers the distribution of less dependent tenants across East Anglia in the pre-Conquest period, and explores some reasons for local variation in both the numbers of less dependent tenants recorded in Domesday Book and in their particular conditions. The third theme concerns the Domesday evidence for less dependent tenants. The theme raises the extent to which Domesday Book may be unreliable in respect both to the numbers of less dependent tenants recorded and to the terminology used to describe them. The fourth and final theme concerns the extent to which there may have been real differences in social structure between East Anglia and 'English' England.

The remainder of this section will discuss the geographical area studied in this dissertation, and the reasons for this choice; the chronological period considered and the reasons for, and difficulties associated with, a retrogressive approach; and the different categories of evidence to be used. The final part will outline briefly the structure of this dissertation.

East Anglia was chosen as a study area for two reasons. The first is comparative potential. A study of the northern Danelaw has already been produced by Hadley.⁹³ A similar investigation of East Anglia has not been attempted since Douglas' work in the early twentieth century.⁹⁴ Although, unlike Hadley's study, this dissertation focuses only on one aspect of the society and economy, it nevertheless provides useful opportunities to compare the two regions. The second reason relates to the available source material. One of the most detailed pre-Conquest sources concerning social relationships and land transactions is the *Libellus Æthelwoldi Episcopi*, which describes events that occurred throughout East Anglia in the late tenth century.⁹⁵ There are also several post-Conquest manorial surveys relating to East Anglia.⁹⁶ Within East Anglia, the dissertation focuses mainly on Suffolk and Cambridgeshire. This is because of the source material available for these counties. For Suffolk, the post-Conquest *Kalendar of Abbot Samson* is available (while much less material exists for Norfolk); for Cambridgeshire, the *Libellus Æthelwoldi* provides information on the pre-Conquest economy and society that is virtually unparalleled in detail for this time period. A focus on just two shires also has practical implications since it has proved useful to investigate the same local geographical area across different time periods and in different sources. Despite the general focus on Cambridgeshire and Suffolk, Chapter Six considers additionally evidence from Huntingdonshire. Particularly good evidence exists for the lands of

⁹³ Hadley, *Northern Danelaw*.

⁹⁴ Douglas, *Social Structure*.

⁹⁵ LAE. See n. 105 below.

⁹⁶ For example, *Kalendar* (relating to the soke of Bury St Edmunds, c. 1186-91); *Cartularium* (relating to Ramsey Abbey, c. 1250); Coucher Book (relating to Ely Abbey and Bishopric, 1251).

Ramsey Abbey in Huntingdonshire in the post-Conquest period and this evidence may be used to supplement the more limited and less accessible evidence for Cambridgeshire in the same period.

It will become clear that there is an emphasis upon the situation on the lands of ecclesiastical landholders throughout this dissertation. Conditions on these lands may have been different from those held by others, in particular because ecclesiastical landholders may have had different priorities to the laity (for example, the need to provide food for a large monastic community). This situation is, however, unavoidable since the majority of good evidence for less dependent tenants in the pre-Conquest period and in the post-Conquest period is of ecclesiastical origin. Ecclesiastical evidence may provide a good indication of the broader situation if potential difficulties are kept in mind. Ecclesiastical landholders and their tenants are likely to have been affected by the same broader issues that affected others in the same period. The *Libellus Æthelwoldi* describes the purchase of land by Ely Abbey, yet it is clear from this source that lay landholders were involved in the land market as well, even if they do not appear in detail. A more balanced view will be provided in Chapter Five, which considers the Domesday evidence for less dependent tenants throughout the whole of Cambridgeshire, including those who held from lay landholders and the king.

This dissertation investigates the situation of less dependent tenants in the late tenth and eleventh centuries, a time period chosen largely because this is the area covered by the most important pre-Conquest sources and Domesday Book. A partially retrogressive approach has also been used, however, and significant use has been made of post-Conquest sources from the twelfth and thirteenth centuries. This method is not new, and was adopted by Maitland in *Domesday Book and Beyond*, and earlier by Seebohm in his *English Village Community*.⁹⁷ Post-Conquest manorial surveys provide detailed information about individual peasant tenants, their landholdings, the nature of

⁹⁷ Maitland, *Domesday Book and Beyond*, p. xix; Seebohm, *English Village Community*.

their tenure, the labour services that they performed and the rents that they owed which is virtually unavailable in Domesday Book and in any pre-Conquest sources. There are, however, obvious difficulties involved with such an approach. As discussed earlier, the social situation in the common law period may not be entirely comparable with that of the pre-Conquest period. There were also, as discussed in Chapters Three and Six, a number of more general social, economic and demographic changes between the late Anglo-Saxon period and the late twelfth and thirteenth centuries.⁹⁸ Nevertheless, if used with care, post-Conquest sources can provide the kind of detail that is required to understand fully the real social and economic conditions of the old English peasantry. The difficulties associated with the use of late evidence will be considered in more detail where relevant in Chapters Three and Six.

Pre-Conquest sources provide the most varied body of evidence that will be considered. The material can be divided into four categories. First, a number of clauses in the Old English law codes refer to the rights and obligations of the peasant classes, and these have formed the basis for much of the early historiography of the Anglo-Saxon peasantry.⁹⁹ While the extent to which the law codes reflected reality is unclear, they may provide an indication of the social situation.¹⁰⁰ Related to the laws are the information on different categories of individual contained in the treaty between Alfred and Guthrum (c.880-90) and Wulfstan's *Gebyncho* (1002-23), a tract on status.¹⁰¹ Second, the small number of surviving estate surveys and related documents provide

⁹⁸ See Chapter Three, pp. 116-8 and Chapter Six, pp. 205-7.

⁹⁹ Old English editions can be found in Liebermann, *Gesetze*, I. English translations are available in Attenborough, *Laws* and Robertson, *Laws of the Kings of England*, and of select codes in EHD, I, nos. 29-53.

¹⁰⁰ On the laws see Wormald, *Making of English Law*, I; Wormald, '*Lex Scripta and Verbum Regis*'; Keynes, '*Royal Government and the Written Word*'; Richard and Sayles, *Law and Legislation*, pp. 1-29; Kennedy, '*Law and Litigation*'.

¹⁰¹ For the Treaty, see Liebermann, *Gesetze*, I, 126-9 and EHD, I, no. 34 (English translation). See also Davis, '*East Anglia*'. For *Gebyncho*, see, Liebermann, *Gesetze*, I, 456-8 and EHD, I, no. 51 (English translation).

information on peasant tenants and estate personnel.¹⁰² Third, a large body of Anglo-Saxon charters, leases, writs and wills can be searched to provide anecdotal evidence concerning less dependent tenants. Useful and accessible collections with English translations have been compiled by Robertson, Harmer and Whitelock.¹⁰³ Sawyer's list of Anglo-Saxon charters was used to identify the charters that would be most useful.¹⁰⁴ Fourth, the *Libellus Æthelwoldi*, a twelfth-century cartulary chronicle which details the acquisition and defence of Ely Abbey's landed endowment in the late tenth century, provides considerable detail on landholding and service in the late tenth century.¹⁰⁵

Domesday Book was used in a systematic analysis of less dependent tenants in parts of Suffolk and Cambridgeshire in the late eleventh century. The Domesday evidence presents a number of well known difficulties and, indeed, the difficulties associated with the recording of less dependent tenants in Domesday Book constitute one of the themes of this dissertation. Domesday Book is discussed in detail in Chapter Three.¹⁰⁶ The dissertation also uses several Domesday satellites (surviving early drafts, or copies of these drafts, of the returns from the Domesday inquest that probably were edited down to produce Domesday Book itself). These sometimes contain information that is omitted in Domesday Book. The satellite surveys used were the *Inquisitio Comitatus Cantabrigiensis* (for Cambridgeshire), the *Inquisitio Eliensis* (for the fief of

¹⁰² For example, *Rectitudines Singularum Personarum* (probably mid tenth-century) and *Gerefa* (probably late tenth- or early eleventh-century) in Liebermann, *Gesetze*, I, 444-55 and Swanton, *Anglo-Saxon Prose*, pp. 21-7 (English translation); surveys of Hurstbourne Priors, Hampshire (c. 900) and Tidenham, Gloucestershire (undated, possibly mid-tenth century) in Robertson, *Charters*, nos 109 (S 1555) and 110 (S 359). See also Harvey, 'Rectitudines' and Faith, 'Tidenham'. For date of *Rectitudines* and *Gerefa*, see Harvey, 'Rectitudines' and Chapter One, p. 32. For date of Tidenham survey see Faith, 'Tidenham', p. 40. For date of Hurstbourne survey, see Chapter One, p. 36.

¹⁰³ Robertson, *Charters*; Harmer, *Writs*; Whitelock, *Wills*. All quotations from charters are taken, where possible, from these collections. English translations also are based on those given in these collections.

¹⁰⁴ *Electronic Sawyer*; Sawyer, *Charters*.

¹⁰⁵ *Liber Eliensis*, ed. Blake, pp. 65-117. English translations in *Book of Bishop Æthelwold*, eds. and trans. Keynes and Kennedy; *Liber Eliensis*, ed. and trans. Fairweather, pp. 84-140. See Chapter Two, pp. 61-3 for detailed discussion.

¹⁰⁶ See Chapter Three, p. 99, nn. 1-2 and pp. 101-4 for editions used and Domesday historiography.

Ely) and the *Liber Exoniensis* (covering certain shires in the southwest).¹⁰⁷ Occasionally useful has been Fleming's index to the legal disputes recorded within the pages of Domesday Book.¹⁰⁸ A list of Domesday legal disputes also has been produced by Wormald.¹⁰⁹

The most important post-Conquest sources were the *Kalendar* of Bury St Edmunds (c.1186-91), the *Cartularium* of Ramsey Abbey (c. 1250) and the Coucher Book of Ely Abbey (c.1251), all manorial surveys.¹¹⁰ A detailed discussion of these sources and the difficulties involved in their use can be found in Chapter Six.¹¹¹

The dissertation begins with a discussion, in Chapter One, of the limited contemporary evidence that exists for less dependent tenants in the Anglo-Saxon period. This chapter covers the rents and services that less dependent tenants owed, their tenure, possibilities for social mobility and the relationship between this group and those immediately above and below in the social hierarchy. It reveals a complex and confused situation, where less dependent tenants appear to have been associated with a range of roles and tenures, and where the distinctions between less dependent tenants and other groups could be blurred. The limited nature of the evidence means that it is necessary to consider sources from 'English' England as well as from East Anglia. Chapter Two places this fragmented evidence into context with a detailed case study of a single locality. The chapter uses the detailed evidence of the *Libellus Æthelwoldi* to investigate the landholding and social roles of less dependent tenants in tenth-century East Anglia. It demonstrates how the land market and the strength of lordship determined the situation of less dependent tenants, and illustrates the significant role that certain of these individuals played in the local society and economy. Chapter Three considers in

¹⁰⁷ *Inquisitio Comitatus Cantabrigiensis*, ed. Hamilton; *Inquisitio Eliensis*, ed. Hamilton; *Exon Domesday*, ed. Ellis.

¹⁰⁸ Fleming, *Domesday Book and the Law*.

¹⁰⁹ Wormald, 'Domesday Lawsuits'.

¹¹⁰ *Kalendar of Abbot Samson*, ed. Davis; *Cartularium Monasterii de Rameseia*, eds. Hart and Lyons; Cambridge, University Library, Ely Diocesan Records, Old Coucher Book.

¹¹¹ Chapter Six, pp. 203-8.

detail the Domesday evidence for less dependent tenants. Chapters Four and Five use the evidence of Domesday Book to investigate, respectively, the socio-economic condition, and the distribution, of less dependent tenants. Chapter Four builds upon evidence already discussed in Chapters One and Two to demonstrate the wide variations in economic circumstances that could exist amongst less dependent tenants, and suggests that the majority of individuals were not prosperous. The chapter demonstrates the impact that landholding within a territorial soke could have upon less dependent tenants and suggests a rationale for the distinction between freemen and sokemen in Domesday Suffolk. Chapter Five analyses the landholding of less dependent tenants in Cambridgeshire to show that the percentage of land held by these individuals in a given village could vary widely even across a relatively small geographical area. The chapter uses evidence discussed in Chapter Two to suggest that the land market and the strength of lordship may have been of some importance in dictating the distribution of less dependent tenants. Chapter Six turns to the post-Conquest evidence to explain some of the variations in landholding and social condition noted in previous chapters and to suggest that there may have been some relationship between the situation of less dependent tenants in the pre-Conquest period and that of those recorded in the common law period. Chapter Seven compares the social structure of East Anglia with that of 'English' England, focusing on, as case studies, the West Midlands, Kent and Hampshire. The chapter considers East Anglia in the broader socio-economic context of late Anglo-Saxon England and draws together the findings of the dissertation.

Less Dependent Tenants in Pre-Conquest Sources

While the contemporary evidence for less dependent tenants in the pre-Conquest period is limited, a small number of documents provide detailed information. This chapter uses this evidence to investigate as far as possible the socio-economic and tenurial position of less dependent tenants in the late Anglo-Saxon period. Although Domesday Book records large numbers of sokemen, there exists only a single reliable reference to this class in surviving pre-Conquest documents.¹ This chapter focuses, therefore, on the other categories of less dependent tenant, in particular the *geneat* and the *radcniht*, that appear. There are two possible objections to this. First, there may have been subtle but important differences between freemen and sokemen and other categories. Second, much of the evidence for other categories of less dependent tenant comes from outside the eastern counties where sokemen and freemen primarily were recorded. These issues may be surmountable, however. It is likely that all less dependent tenants shared some common characteristics since all, regardless of geographical location, occupied similar positions in the socio-economic hierarchy. With caution, the situation of similar individuals can provide a good indication of what that of freemen and sokemen may have been. Where East Anglian sources are used, the various less dependent tenants who appear, for example the reeves and *cnihtas* recorded in a number

¹ Harmer, *Writs*, no. 85 (S 1129).

of wills, may have been freemen or sokemen under a different name. Although sources from outside the Danelaw are used in this chapter, the situation in East Anglia is not, at this stage, compared with that recorded elsewhere.

This chapter considers first the social position of the less dependent tenants recorded in pre-Conquest sources, and the socio-economic roles that these individuals might have had. It investigates how, and how far, these groups could be distinguished from others. The second part focuses on landholding, and, by implication, economic position.

Geneatas, radcnihtas, sokemen and gafolgeldan: social position

This section investigates the different kinds of less dependent tenant recorded in the pre-Conquest period. These include the *geneat*, a high-status tenant recorded in estate surveys; reeves; *radcnihtas*, who appear in sources from the west midlands; *cnihtas* and servants that appear in wills from elsewhere in the country; and the *gafolgelda*. The free sokemen recorded in a single pre-Conquest writ are also discussed.

The *Rectitudines Singularum Personarum* provides an indication of the role that a less dependent tenant might have.² This text describes the rights and obligations of the inhabitants of a large estate, of which the most interesting for our purposes is the *geneat*. The Old English text of the *Rectitudines* is known from a single eleventh- or early twelfth-century manuscript.³ A Latin translation exists in the *Quadripartitus* (probably

² Old English: Liebermann, *Gesetze*, I, 444-53. English translation: Swanton, *Anglo-Saxon Prose*, pp. 21-5

³ Corpus Christi College, Cambridge, MS 383.

For details about the *Rectitudines*, see Harvey, 'Rectitudines'. For the Old English manuscript see Harvey, 'Rectitudines', p. 1.

early twelfth century).⁴ The original text of the *Rectitudines* was initially dated to at least the early eleventh century, but Paul Harvey has dated it to the mid-tenth century, of some significance historiographically since the tract describes a highly manorialised estate organisation.⁵ The *Rectitudines* probably originated as a practical document for a specific estate, although it may have been adapted later into a more general text.⁶ It may reflect real conditions, therefore. Its author notes, however, that different conditions might apply on estates other than that for which the text was intended (*landlaga syn mistlice*).⁷ Thus the source should not necessarily be seen as a model for all tenth-century estates.

How far might the conditions of the *geneat* have paralleled those of the sokeman? The estate described in the *Rectitudines* probably was located not in East Anglia but in Wessex or south Mercia. Harvey has located the estate in Wiltshire, Somerset or Hampshire, but this precision may go beyond the evidence.⁸ Liebermann suggested more broadly that the text may have come from Wessex or southern central Mercia.⁹ There is indeed evidence that the *Rectitudines* may have been used on several different estates in that region. It has been linked especially to the first Bishop Wulfstan of Worcester (d. 1023), who may have been responsible for revising an earlier edition of the text into the form, or something close to the form, in which it has come down to us.¹⁰ The *geneat* appears in an estate survey of Tidenham in Gloucestershire, which is also from the west midlands and possibly also of mid-tenth-century date.¹¹ While there is evidence that the term *geneat* also could be used in East Anglia, the relationship between

⁴ Harvey, 'Rectitudines', p. 1-2.

⁵ Harvey, 'Rectitudines', p. 18-19. See Introduction.

⁶ Harvey, 'Rectitudines', p. 19-21.

⁷ RSP, cl. 21,1.

⁸ Harvey, 'Rectitudines', p. 20.

⁹ Liebermann, *Gesetze*, III, 244-6.

¹⁰ Bethrum, 'Episcopal Magnificence', Harvey, *Rectitudines*, pp. 5ff; pp. 20ff.

¹¹ Robertson, *Charters*, no. 109 (S 1555). See also Faith, 'Tidenham'. For date, see Faith, 'Tidenham', p. 40.

this terminology and the sokeman is unclear. According to a 1071 writ, land in Freckenham, Suffolk was granted with the ‘*geneatas* and sokemen’ (*geneatas and socnmen*), referred to as ‘*rusticis et sochemanis*’ in a Latin translation.¹² In the *Quadripartitus*, the *geneat* is described as a *villanus*. While both sokemen and *geneatas* clearly were less dependent tenants, the *geneat* may have been more closely connected with the manorial organisation. On the other hand, *geneat* and sokeman also may have been alternative words for the same kind of tenant, and the author of the 1071 writ may have included both to avoid ambiguity. It is clear, however, that the *geneat* and the sokeman were of at least a very similar social position.

According to the *Rectitudines*, the *geneat* performed several high-status obligations. He needed to ‘pay rent and one store-pig each year, ride and perform carrying services and work and entertain his lord, reap and mow, cut deer fences and maintain hides, build and fence fortifications, conduct strangers to the manor, pay church dues and alms, attend his superior, and guard the horses [and] carry messages’.¹³ Similar duties, including ‘many other things’ (*and fela oðra ðinga don*), were expected of the *geneat* recorded in the Tidenham survey. This package of obligations could only have been performed by an individual of reasonable social and economic standing. Free time would have been needed to perform many of the services, in particular message carrying and other riding duties. These would have required the tenant to spend time away from his own lands and may have been unpredictable in nature. The *Rectitudines* directs the *geneat* to carry messages ‘far and near, wherever he is directed’.¹⁴ Individuals carrying out such services cannot have worked full time on their own lands; their holdings must have been worked at least partially by slaves or lower-status peasant

¹² Old English: *Regesta*, I, no. 47. Latin: Wharton, *Anglia Sacra*, I336. See also Joy, ‘Sokeright’, p. 289.

¹³ RSP cl. 2. ‘*he sceal landgafol syllan and gæersswyn on geare and ridan and auerian and lade lædan wyrcan and hlaford feormian, ripan and mawan, deorhege heawan and sæte haldan, bytlian and burh hegegian, nigefaran to tune feccan, cyricsdat syllan and ælmesfeoh, heafodwearde healdan and horsweade[and] ærendian*’.

¹⁴ RSP cl. 2. ‘*fyr swa nyr, swa hwyder swa him mon to tæcð*’.

tenants. Such individuals also would have needed sufficient economic resources to keep a riding horse and the social experience necessary to represent a lord in his absence. An example of high-status services in action occurs in a charter of 896.¹⁵ Following complaints made by the Bishop of Worcester concerning encroachments onto his woodland in Woodchester, Gloucestershire, the defendant's *geneat*, Ecglaf, was ordered to ride around the estate with one of the bishop's clergy to identify local landmarks from old estate charters. Despite the early date of the charter, it appears that an individual similar to that described in the *Rectitudines* is meant. This clarifies the responsible nature of the services the *geneat* owed and demonstrates how these might bring him into close contact with his lord and other high-status individuals. While the time commitment involved may have been significant, perhaps even comparable to the labour services that, as shall be seen, were required of lower-status individuals, this may have been compensated by social prestige.

Aside from these high-status obligations, the *geneat* primarily held his lands for rent (*landgafol*) and did not owe significant labour services. The precise meaning of *gafol* has promoted considerable discussion in the historiography, and will be considered later in this chapter. At this point, it is sufficient to interpret *gafol* as rent. It is unclear whether *landgafol* was a money rent or if it was paid in kind, but this may not be important. The payment of rent, without significant labour services, would have allowed the *geneat* considerable economic freedom since more of his labour and that of his men could be directed towards his own lands. This situation also suggests the *geneat*'s strong economic position since he would have needed to generate a sufficient surplus from his lands to pay rent in the first place.

The *geneat* performed some agricultural work nevertheless. This was irregular boon work in the form of reaping and mowing. Although these services were a much lesser burden than the regular week work that, as shall be seen, was done by other

¹⁵ Harmer, *Select Historical Documents*, no. 14 (S 1441).

tenants, this qualifies to some extent the *geneat*'s high-status position. Seasonal boon works would have reduced the labour available for the cultivation of his own land at precisely the time of year when it was needed most, which is particularly relevant given the importance of good weather conditions for the success of a harvest.¹⁶

The picture presented here is of an individual of intermediate status, therefore, on the boundary between the dependent peasantry and the nobility. As Gillingham has noted, some of the *geneat*'s higher-status obligations were not dissimilar from those that nobles owed the king.¹⁷ The obligations of the thegn are described at the beginning of the *Rectitudines*.¹⁸ In addition to the standard duties of military service and the repair of fortresses and bridges, the thegn (probably a thegn holding bookland) might also, by order of the king, and like the *geneat*, service the king's deer fence, guard the coast and attend to his superior.

At the same time, the agricultural responsibilities of the *geneat* can be compared with those of the more dependent peasantry. The two categories of dependent tenant described in the *Rectitudines* that might be compared most usefully with the *geneat* are the *cotsetla* and the *gebur*. The *cotsetla* performed regular and heavy agricultural services, perhaps on each Monday throughout the year, and may have held as little as five acres.¹⁹ He owed other services that might appear to have been of a higher status, including guarding the coast and work on the king's deer-fence. These were probably different from the kinds of services owed by the *geneat*, however. Repairing fences, for example, does not have to be a high-status occupation if performed as a regular service under supervision. Possibly the *geneat* supervised and organised such repairs while the manual labour was provided by the *cotsetla*. If anything, this may clarify further the role

¹⁶ Harvey, *Domesday England*, p. 72.

¹⁷ Gillingham, 'Thegns and Knights', pp. 140ff.

¹⁸ RSP cl. 1.

¹⁹ RSP. cl. 3.

of the *geneat* as, in some cases, an administrator able to call upon the labour of various dependent peasants to carry out the work he was responsible for.

Yet the *cotsetla* was, like the *geneat*, a free man. The *geneat* paid his church dues and the *cotsetla* paid ‘Peter’s pence’, ‘as every free man ought’.²⁰ The difference between the two individuals was primarily one of economic status, therefore, which led to differences in social status and in the services expected. Unlike the *geneat*, the *cotsetla* with his five acres did not pay rent, probably because he could not afford to do so, but he was expected to work regularly. Accordingly, whereas the entry for the *geneat* begins with the obligation to pay *gafol*, the entry for the *cotsetla* begins with labour services each Monday.

The *gebur* worked for two days a week throughout the year and up to three days in busy periods.²¹ He paid ten pence each year as *gafol* and sowed and ploughed three acres as *gafolyrðe*. Further services may also have been expected, including cartage and guarding his lord’s sheep fold. Similar conditions are recorded in the Tidenham survey and for the ceorlas recorded in a survey of Hurstbourne Priors, Hampshire, found in a charter dated to 900.²² Some commentators have argued that the latter survey had undergone later revision and actually reflects conditions as late as c.1050.²³ However, Finberg has argued convincingly that the survey does date from c. 900, and that a later date was suggested because this fitted better with the late date of manorialisation accepted in the early historiography.²⁴ Unlike the *cotsetla*, who provided additional labour where required, the *gebur* was part of the main labour force on the estate. And while the *gebur* was, like those already discussed, legally free, there were economic and practical limitations on his independence. He held his land, together with livestock and

²⁰ ‘ealswa ælcan frigean men gebyreð’.

²¹ RSP, cl. 4.

²² Robertson, *Charters*, no. 110 (S 359).

²³ EHD, II, p. 879; Robertson, *Charters*, p. 454.

²⁴ Finberg, *Lucerna*, pp. 131-43; Finberg, ‘Anglo-Saxon England to 1042’, p. 452. See also, Harvey, ‘*Rectitudines*’, p. 17; Pelteret, *Slavery*, pp. 178-9. For the possibility of some later revision, see Pratt, *Political Thought of Alfred the Great*, p. 22.

tools, only for his lifetime. After his death, all his land and stock reverted back to the lord.²⁵ There also were restrictions on his movement. Two documents from Rochester and Hatfield name the *geburas* who were resident on the estate, and who had recently left, respectively.²⁶ While these individuals had been able to leave their lands when they wished, efforts were nevertheless made to keep track of their whereabouts. The tenurial arrangements of the *geneat* and the *cotsetla* are not described in such detail, but one may suppose that they possessed a greater freedom to leave their lands than the *gebur*, and that the *gebur* was the most economically dependent of the three. This is further indicated by the physical location of the *gebur* in the text of the *Rectitudines*, after both the *cotsetla* after the *geneat*.²⁷ The position of the *gebur* in relation to the *cotsetla* and the *geneat* was almost certainly dependent on the role this individual had on the estate. To ensure that his lord would be provided with a constant supply of labour, he was given sufficient land and equipment to support himself, but the terms of his tenancy made it difficult for him to leave.

Yet the *geneat*, *cotsetla* and *gebur* all were personally and legally free, and all held their lands in return for a variety of rents and services, which in all cases included agricultural work. It is perhaps most helpful, therefore, to imagine a spectrum of varying socio-economic statuses, reflected in (and also a reflection of) the different roles that each of the three groups played in estate organisation.

An individual worth discussing at this point is the manorial or village reeve. The reeve does not feature in the *Rectitudines*, but instead forms the subject of an additional text, *Gerefa*, which details the duties that might fall upon the reeve throughout the year.²⁸ Although *Gerefa* appears immediately after the *Rectitudines* in the Old English

²⁵ ‘*ðonne him forðsið gebyrige, gyme his hlaforð ðæs he læfe*’.

²⁶ Pelteret, ‘Two Old English Lists of Serfs’, p. 493 and pp. 472-4 (S 1481f and S 1481e).

²⁷ Harvey, ‘*Rectitudines*’, pp. 12-13.

²⁸ Old English: Liebermann, *Gesetze*, I, 453-455. English translation: Swanton, *Anglo-Saxon Prose*, pp. 25-7.

manuscript, these documents probably were not composed at the same time.²⁹ While the *Rectitudines* was originally a practical document of the mid-tenth-century, *Gerefa* was probably a literary work from the late-tenth or early-eleventh century. The content may have been influenced more by the need to achieve certain literary effects than by actual practice.³⁰ The source is still useful, however, as a general guide to the responsibilities that might have fallen upon a reeve in the late Anglo-Saxon period.

The role and position of the kind of reeve described in *Gerefa* is ambiguous.³¹ It is uncertain whether he was responsible for a manor or a village, a particular problem where villages consisted of several manors. It is also uncertain whether he was an agent of the king (which may be suspected because it appears that geld was collected directly from manorial or village reeves) or of his lord or both. The reeve described in *Gerefa* appears to be personally responsible to his lord, but it is unclear if this would have been the case for all manorial/village reeves in the same period. Although manorial reeves in the common law period were generally villeins, in the pre-Conquest period the reeve could have been a less dependent tenant. Reeves in later times were usually drawn from the more prosperous families in the village, whose unfree status owed more to the artificial nature of villeinage than to economic reality. The reeve described in *Gerefa* was expected ‘to know both the lord’s rights on the estate and the people’s rights’, and ‘he should never let his servants overrule him, but he should command each one with the authority of the lord and according to the rights of the people’.³² The office was a responsible one and the holder exercised considerable authority. It is probable therefore that the reeve described in *Gerefa* was a *geneat*, and the ‘servants’ he managed were *cotsetlas*, *geburas* and slaves.

²⁹ Harvey, ‘*Rectitudines*’, pp. 3ff and pp. 8ff.

³⁰ Harvey, ‘*Rectitudines*’, p. 8.

³¹ Campbell, ‘Agents and Agencies’, pp. 205-8; Lennard, *Rural England*, pp. 274-6, esp. p. 276.

³² *Gerefa*, cl 1. ‘*se scadwis gerefa sceal ægðer witan ge hlafordes landriht ge folces gerihtu*’; *Gerefa*, cl. 7. ‘*Gerefa ne læte he næfre his hurmen hune oferwealdan ac wille he ælcne mid hlafordes creadfe and mid folcrihte*’.

Reeves that were, or probably were, less dependent tenants appear elsewhere in the sources. A number of pre-Conquest wills include substantial bequests made to reeves (indicating their high status). Leofgifu, who held land in Suffolk and Essex, bequeathed thirty acres to her reeve (*reue*) in 1035*1044.³³ There are at least three examples in Domesday Book of freemen or sokemen who were reeves, including Alwin the Abbot's reeve (a sokeman) who held two hides and half a virgate in Melbourn in Cambridgeshire along with nine others.³⁴ As shall be discussed in Chapter Seven, the reeves who appear in Domesday Book in the counties of Herefordshire, Worcestershire and Gloucestershire are recorded alongside the group known as the *radcnihtas*, who are generally considered to have been less dependent tenants.

Yet it is difficult to know if all the people noted above were reeves of a similar character to the individual described in *Gerefa*. The term 'reeve' was ambiguous not only at the manorial or village level, but also could describe a variety of administrative offices in the Anglo-Saxon period (including those of the hundred and wapentake reeves who were certainly royal agents).³⁵ Although the context of the wills (*his* reeve; *her* reeve) would suggest personal rather than royal service, it is nevertheless possible that those individuals to whom substantial post-obit bequests were made were of a superior position to manorial or village reeves. Individual wills only ever mention a single reeve, and it may be that this reeve was in fact responsible for several, or all, of the manors held by his lord. Indeed, a document appended to the *Inquisito Eliensis*, belonging to the same period as Domesday Book, shows that Ely's demesne manors were divided into groups, each supervised by a reeve who was probably more akin to a bailiff or serjeant

³³ Whitelock, *Wills*, no. 29 (S 1521). Land in Norfolk was bequeathed to the *refe* of Ketel in 1052*1066 (Whitelock, *Wills*, no. 34; S 1519) and land was bequeathed to the reeve of Æthelflæd, second wife of King Edmund in 962*991 (Whitelock, *Wills*, no.14; S 1494)

³⁴ IE, p. 109. See also DB, II, 398r (a freeman in Herringswell, Suffolk, with one carucate) and DB, I, 142v (a sokeman in Broxbourne, Hertfordshire, with half a hide).

³⁵ Campbell, 'Agents and Agencies', pp. 205-8.

of the thirteenth century than to a manorial or village reeve.³⁶ It is probable, however, that both manorial/village reeves and those responsible for several manors were less dependent tenants, albeit slightly different kinds of less dependent tenants. Thus less dependent tenants occupied responsible positions at a number of different levels.

To complicate the picture further, it is unclear whether all manorial or village reeves were less dependent tenants. In the Burton Abbey surveys (early twelfth century), reeves appear amongst the ordinary villagers, typically holding two bovates of land ‘by work’ (*ad opus*).³⁷ One might conclude that the particular socio-economic status of a manorial or village reeve could vary according to particular circumstances, reinforcing the idea that social differences were relative rather than absolute.

A charter of 825, concerning a dispute over wood-pasture at Sinton, Worcestershire, illustrates the role that a reeve may have performed.³⁸ The ‘reeves in charge of the swineherds’ (*swangerefan*) on the estate wanted to extend the swine pasture and thus to take in more woodland than permitted by the ‘ancient rights’ (*ald geryhta*). The details are unclear, but it seems that the bishop of Worcester declared at a royal synod at *Clofesho* that the monastic community at Worcester (presumably the landowner), did not want to take in more woodland than had been permitted at an earlier date. It was then decided that this would be declared on oath thirty days later at Worcester. A *swangerefa*, Hama, was told to ride to Worcester where he observed the oath and did not challenge it. The status of Hama in relation to the reeves discussed above is unclear, especially given the early date of the charter. Robertson suggested that he was a royal official, although there is no reason to suspect this from the charter.³⁹ He is more likely to have been a man of the bishop. Sinton is not recorded in Domesday

³⁶ Lennard, *Rural England*, p. 207 and p. 274. For the text of the document, see ICC, pp. 168-73. For thirteenth-century conditions, see Denholm-Young, *Seignorial Administration*, p. 32 and p. 156.

³⁷ ‘Burton Abbey Twelfth-Century Surveys’, ed. Bridgeman; Lennard, ‘*Rural England*’, p. 273.

³⁸ Robertson, *Charters*, no. 5 (S 1437). See Robertson, *Charters*, p. 266 for identification of Sinton. The synod is recorded in Cubitt, *Church Councils*, p. 286.

³⁹ Robertson, *Charters*, p. 267, n. 19.

Book, but given the early date of the dispute it may have been a large multiple estate.⁴⁰ Certainly, according to the charter, the maximum amount of pasture permitted was enough for 300 swine. In this case, Hama may have held an office of slightly greater importance than a manorial reeve. It is almost certain, however, that he was of non-noble status. This account suggests the significance attached to decisions made by a less dependent tenant in an administrative position. It was important that the reeve witnessed the oath and he had the opportunity to challenge it. As the oath was made ‘before all the councillors’ (*biforan allum þæm wiotum*), which included Ealdorman Eadwulf, Hama also had an opportunity to connect with a number of high-status individuals. His position was still essentially that of a servant, nevertheless. The final responsibility lay with the bishop, who defended the decision made by the *swangerefan* at *Clofesho* and produced the oath itself.

The above discussion has considered the position of less dependent tenants within the manorial organisation. Evidence of a different kind is provided by several tenth- and eleventh-century leases from the bishops of Worcester to their lay followers, together with a tenth-century letter from Bishop Oswald to King Edgar setting out the terms on which the bishop leased his estates.⁴¹ It is thought that many of the leases were granted to relatives of Bishop Oswald, including a lease of two manors made in 969 to Osulf, possibly Oswald’s brother.⁴² But not all of the leases mentioned a relationship with the bishop. This, combined with the small areas of land sometimes granted, and the kinds of services owed in return, suggest that some of the recipients were less dependent tenants. A lease of 977 granted 180 acres at Wolverton to a *cnicht* in return for military

⁴⁰ For large early estates see Faith, *English Peasantry*, esp. ch. 1.

⁴¹ For the leases, see S 1297-375 and S 1385, S 1388, S 1392-7, S 1399, S 1405-9. A number of Worcester leases are printed and translated in Robertson, *Charters*, nos. 55-8, 61, 64-5, 67, 87, 94 and 111-12. Oswald’s letter is printed in B 1386 and translated in Brown, *Norman Conquest*, no. 163 (S 1368). See also Gillingham, ‘Thegns and Knights’, pp. 139-40; Joy ‘Sokeright’, pp. 292-3.

⁴² Robertson, *Charters*, no. 46 (S 1326) and p. 343; Gillingham, ‘Thegns and Knights’, p. 139.

service, the construction of walls and bridges, and carrying service (*cyrcanlade*).⁴³ In 963, Ælfric, described curiously as a thegn, was granted one hide at Cotheridge if he would plough, sow and harvest two acres of land every year as church dues.⁴⁴ Later in the same year Æthelstan, also described as a thegn, was granted three hides at Thorne if he would work ‘with all his might twice a year once at haymaking and the other time at harvest’.⁴⁵ Moreover, all the bishop’s tenants were, according to Oswald’s letter described above, expected to perform the *Lex Equitandi*, providing horses, helping with the hunt, helping with building work on bridges and the church and paying church dues.⁴⁶

The recipients of these leases are probably the ancestors of the *radcnihtas* recorded in Domesday Book for the western counties of England, thought by some commentators similar to freemen and sokemen.⁴⁷ The areas of land conferred by the leases are analogous to those held by *radcnihtas* at the time of Domesday. *Radcnihtas* held, on average, 117 acres in Worcestershire in 1066.⁴⁸ Holdings could, however, be as large as three hides.⁴⁹ The services are also comparable. Some *radcnihtas* in Worcestershire mowed for one day per year.⁵⁰ At Deerhurst, Gloucestershire, they ploughed, harrowed, mowed and reaped.⁵¹ The term *radcniht* itself, literally ‘riding retainer’, also would imply duties that involved riding such as those in the *Lex Equitandi*.

⁴³ Robertson, *Charters*, no. 55 (S 1332). A *cniht* received one hide at Himbleton in 975*978 and another *cniht* two hides at Cold Ashton in 1033*1038 (Robertson, *Charters*, nos. 56 (S 1373) and 87 (S 1399)).

⁴⁴ Robertson, *Charters*, no. 35 (S 1303).

⁴⁵ Robertson, *Charters*, no. 36 (S 1305). ‘*mid eallum cræfte twuga on geare æne to mæpe and opre siðe to ripe*’.

⁴⁶ B 1136; Brown, *Norman Conquest*, no. 163 (S 1368).

⁴⁷ For example, Faith, *English Peasantry*, pp. 123-4.

⁴⁸ For radmen, see Chapter Seven, pp. 247-59.

⁴⁹ DB, I, 175r. Three freemen held 10 hides at Naunton Beauchamp in 1066.

⁵⁰ For example, DB, I, 174v (Longdon, Powick); DB, I, 175r (North Piddle).

⁵¹ DB, I, 166r.

The services described in the *Lex Equitandi* are comparable with those of the *geneat* and can be interpreted similarly. *Radcnihtas* additionally may have had a military function, however. A charter of 855 granting a privilege to the bishop of Worcester discusses a group known as the *Walhfæreld*.⁵² The term means ‘Welsh expedition’ and may be describing a mounted retinue.⁵³ Military services may have formed part of the riding services of the *Lex Equitandi*. Certainly it is clear that ceorls as well as thegns performed military duties.⁵⁴ Ine 51 establishes fines for neglecting military service for *gesith-born* men and ceorls, whilst the much later *Battle of Maldon* famously describes the presence at the battle of the ceorl, Dunnere.⁵⁵ It is likely that many ceorls involved in fighting were less dependent tenants.⁵⁶ Domesday Book records freemen who were killed at Hastings.⁵⁷ A sokemen who was a housecarl of King Edward held land at Shenley, Hertfordshire in 1066.⁵⁸ The early twelfth-century *Descriptio militum* of Peterborough Abbey (1100-1116) lists sokemen amongst the tenants who served with the abbey’s knights.⁵⁹

The terminology used to describe the recipients of the leases is difficult to interpret. ‘*Cniht*’ certainly could be used to describe a less dependent tenant, hence the *radcnihtas*. But the term could also be used to describe one of noble origin.⁶⁰ Oswald’s relative Osulf, mentioned above, was a *cniht*. The term was used, albeit poetically, of

⁵² B 489 (S 207). Translated in EHD, I, no. 91.

⁵³ For the translation of *Walhfæreld*, see EHD, I, 486, n. 5.

⁵⁴ See Faith, *English Peasantry*, pp. 95-8.

⁵⁵ Ine cl. 51 (Liebermann, *Gesetze*, I, 8-123; EHD, I, no. 32). The *Battle of Maldon*, lines 225-6. For text and translation, see Ashdown, *English and Norse Documents*, pp. 3-37 and pp. 72 – 90. The *Battle of Maldon* is also translated in EHD, I, no. 10.

⁵⁶ Abels, *Lordship and Military Obligation*, ch. 5, esp. pp. 135-7 and 142-5; Faith, *English Peasantry*, pp. 97-8.

⁵⁷ One such freeman held land at Shelfhanger, Norfolk (DB, II, 275v), another two held land at Tytherley, Hampshire (DB, I, 50r).

⁵⁸ DB, I, 136v.

⁵⁹ King, ‘Peterborough *Descriptio militum*’.

⁶⁰ Gillingham, ‘Thegns and Knights’, pp. 138-9.

two noblemen in the *Battle of Maldon*.⁶¹ ‘*Cniht*’ may have been employed in the Worcester leases to describe any individual, noble or non-noble, who was a ‘retainer’ of the bishop. This might be compared with *geneat*, which meant ‘companion’ in a general sense but also could be used of the tenant described in the *Rectitudines*. The use of the word *cniht* in this way might reflect the status of less dependent tenants on the boundary between the peasantry and the nobility.

Cnihtas appear also in wills from East Anglia. Some of these may be identified with Domesday sokemen. In 1043*1045, Thurstan bequeathed half a hide at Westley and a hide at Dullingham (both in Cambridgeshire) to Viking ‘*mine knihte*’.⁶² ‘Viking’ may be identical with ‘Wichinz’, recorded in the *Inquisitio Comitatus Cantabrigiensis* holding one hide at Dullingham, an estate that was held by three sokemen at the time of Domesday.⁶³ Other East Anglian wills also describe small grants to *cnihtas* that can also be linked less directly to land held by sokemen in Domesday Book. In 1035*1044, Leofgifu bequeathed an estate at Lawford, Essex to her priest Æthelric and her *cnihtas* that would serve her best.⁶⁴ Domesday Book records at Lawford (in royal hands at that time) seventeen sokemen with one hide, twenty-one sokemen with one hide, two virgates and five acres and four sokemen with half a hide and fifteen acres.⁶⁵ All these *cnihtas* may have owed services similar to those owed by the *radcnihtas* who leased land from Worcester, or to those owed by the *geneat*.

The identity of the ‘thegns’ in the leases is less clear. While the term ‘thegn’ typically was used to describe an individual of high status, it also carried the broader meaning of an individual of relatively low status (perhaps a less dependent tenant) who

⁶¹ Gillingham, ‘Thegns and Knights’, p. 138.

⁶² Whitelock, *Wills*, no. 31 (S 1531); Joy, ‘Sokeright’, p. 252.

⁶³ Whitelock, *Wills*, pp. 194-5; ICC, p. 18; DB, I, 195v.

⁶⁴ Whitelock, *Wills*, no. 29 (S 1521). ‘*mine cnihtes...þe me best heren willen*’.

⁶⁵ DB, II, 6r.

held a ministerial office.⁶⁶ Such an office usually involved royal service, although this was not invariably the case. Individuals performing ministerial functions may have been identified with the ‘king’s thegns’ recorded in certain Domesday counties, who held relatively small areas of land and included reeves, huntsmen and priests, or with the thegns and drengs who held land in the north of England in return for high-status services.⁶⁷ The individuals described in the Worcester leases may have been of a similar type.

It would be useful to consider at this point the only pre-Conquest evidence for the term ‘sokemen’. Four free sokemen (*fre scone men*) appear in a 1053*1066 writ of Edward the Confessor granting Eversley, in Hampshire, to Westminster Abbey.⁶⁸ The sokemen had held the estate under the king, and following the grant would continue to hold it under the monastery, and ‘be in the power of Saint Peter and obey and be subject to the community of the monastery’.⁶⁹ Harmer considered the writ authentic, but suggested that it was ‘altered and expanded’ in the post-Conquest period.⁷⁰ On this evidence, Hallam suggested that the term ‘sokemen’ was a post-Conquest addition, and that the writ is ‘no evidence’ for sokemen in eleventh-century Hampshire.⁷¹ The recording of sokemen in Hampshire is indeed surprising, although it should be noted that Domesday Book did record small numbers of sokemen outside the eastern counties in Kent and Surrey, an issue discussed in Chapters Three and Seven. At this stage, however, the precise terminology of the particular writ need not necessarily be of concern. The writ is clearly referring to people of at least comparable status to sokemen.

⁶⁶ Reynolds, *Fiefs and Vassals*, p. 337; Campbell, ‘Agents and Agencies’, p. 212; Abels, *Lordship and Military Obligation*, pp. 140-4; Lavelle, “‘All the King’s Men?’”, esp. p. 2.

⁶⁷ For the king’s thegns see Lavelle “‘All the King’s Men?’”. For thegns and drengs see Joliffe, ‘Northumbrian Institutions’; Maitland, ‘Northumbrian Tenures’.

⁶⁸ Harmer, *Writs*, no. 85 (S 1129).

⁶⁹ ‘*beon on Sancte Petres gewælde and þam hirde of þam minstre hersumian and þeowian*’

⁷⁰ Harmer, *Writs*, pp. 507-9.

⁷¹ Hallam, ‘England Before the Norman Conquest’, p. 15.

This is confirmed by Domesday Book, which records four freemen (*liberi homines*) at Eversley in 1066, surely the same individuals who appear in the writ.⁷²

The writ names two of the sokemen as Payn, the king's 'mead-wright' (*min medwrihte*) and Wulfnoth, his housecarl (*min huskerall*). This confirms many conclusions already reached in connection with other categories of less dependent tenant. Both sokemen were connected with high-status service, of an administrative and military manner respectively, and they probably held their lands in return for these services. The *Telligraphus of Edward the Confessor*, a spurious charter dated 1065 contained in the Westminster archives which mentions Eversley, refers to the four sokemen there as *ministri*, suggesting a connection with the low-status thegns that performed ministerial services.⁷³

There is one further category of tenant that deserves consideration. The *gafolgelda* is recorded in Ine 6.3, which decreed that anyone who fought in the house of a *gafolgelda* or *gebur* should pay a fine and compensation to the householder.⁷⁴ The *gafolgelda* is best interpreted as a rent-payer, contrasted in Ine's laws with the *gebur* who held his land in return, not only for rent, but also significant labour services. It is unclear, however, what the relationship was between the *gafolgelda* and the other categories of less dependent tenant discussed. 'Gafolgelda' may have covered all who primarily held their land in return for rent, including, for example, the *geneat*. The term also may have included others who paid rent without owing other services. Such individuals may not have been recorded in documents like the *Rectitudines* because they would not have contributed directly to the manorial organisation. But tenants of this kind may appear in an East Anglian will of c. 1038.⁷⁵ Here, Thurketel of Palgrave granted a moor to the freemen (*fremannen*) to use as they had done before. These freemen

⁷² DB, I, 43r.

⁷³ London, British Library, MS Cotton Faust A. iii, 113v-102r (s xv) (S 1039). See Harmer, *Writs*, pp. 189-220 and p. 508.

⁷⁴ Ine cl. 6.3 (Liebermann, *Gesetze*, I, 88-123; EHD, I, no. 32).

⁷⁵ Whitelock, *Wills*, no. 24 (S 1527).

(probably the ancestors of freemen recorded in Domesday Book) probably did not have a close connection with Thurketel and may have been independent rent-payers. Alternatively, they may have held the majority of their land in their own right; possibly the moor had been common land which had been subsequently appropriated by Thurketel. The freemen of the king who do not belong to any farm, recorded amongst the tenants in chief in Domesday Book, may have been similar to these *fremannen*.⁷⁶

Therefore less dependent tenants need not only have been characterised by the high-status obligations discussed in this section. The group may also have included lightly burdened, independent individuals who may be, as a consequence, less visible in the surviving documents. This can be related to the view expressed in particular by Faith and Reynolds that freemen and sokemen, and less dependent tenants in general, could have had considerable rights over their own lands, limiting any rights that lords might have had.⁷⁷ There may be a connection with the Domesday *allodarii* (the continental *allod* was land held only from the king), a class recorded mainly in Surrey, Sussex and Hampshire whose nature is not well understood.⁷⁸ Maitland interpreted the *allodarii* as freemen who held their lands through inheritance.⁷⁹ It is also possible, however, that the use of continental terminology was an attempt to categorise English society along Norman lines, and the *allodarii* may have been comparable to freemen and sokemen elsewhere.⁸⁰ The Domesday *allodarii* will be discussed in more detail in Chapter Three.

⁷⁶ DB, II,109r; Harvey, 'Extent and Profitability of Demesne Agriculture', p. 50.

⁷⁷ Reynolds, 'Bookland', p. 222. See also Reynolds, *Fiefs and Vassals*, pp. 334-5; Faith, *English Peasantry*, ch. 5, esp. pp. 127-8; Hadley, *Northern Danelaw*, pp. 169-71.

⁷⁸ See Musset, 'Réflexions sur allodium'; Williams, 'How Land Was Held Before and After the Norman Conquest'.

⁷⁹ Pollock and Maitland, *History of English Law*, I, 68-72.

⁸⁰ Faith, *English Peasantry*, p. 124; Lavelle "'All the King's Men?'"', p. 4.

Land tenure

This section discusses the different types of land that less dependent tenants held, including *gafolland*, leases and other kinds of land held in return for an official position. It also discusses two further issues related to landholding – how much land less dependent tenants could hold and how this land could be acquired – as well as possibilities for social mobility.

The nature of *gafol* and *gafolland* has been a subject for debate. *Gafolland* appears in documents as a physical portion of an estate. In the Tidenham survey, *gafolland* is recorded as distinct from the ‘inland’, the part of the estate over which the lord had most direct control.⁸¹ *Gafolland* also appears in the second clause of the Alfred-Guthrum treaty (c.880-890).⁸² The clause, setting out to establish the respective wergelds of the Danes and the English following the peace made between Alfred and Guthrum, states that all will have a wergeld of eight half marks except for the ceorls who sit on *gafolland*. They, together with the Danish freedmen (*liesengar*), would have a wergeld of 200 shillings. There has been some discussion about the identity and status of these ceorls who sat on *gafolland*. The wergeld is consistent with that prescribed in West Saxon law codes for the ceorlisc class, yet the equation of all ceorls with Danish freedmen, who would presumably have been of relatively low social status, is surprising.

Vinogradoff interpreted *gafol* as a public tribute made to the king. *Gafolland* was ‘tributary land’, and its inhabitants were tribute payers.⁸³ Stenton, however, concluded that *gafol* was rent and *gafolland* was land taken at rent from a lord.⁸⁴ In Stenton’s interpretation, ceorls holding *gafolland* were those ceorls who did not possess their own

⁸¹ See Faith, *English Peasantry*, chs. 2 and 3 for a discussion of inland. See Pratt, ‘Taxation and Manorial Structures’ for an alternative view of inland.

⁸² Liebermann, *Gesetze*, I, 126-9; EHD, I, no. 54.

⁸³ Vinogradoff, *Growth of the Manor*, p. 132.

⁸⁴ Stenton, *Anglo-Saxon England*, p. 261, n. 1.

land.⁸⁵ Those with a wergeld of eight half marks included nobles and ceorls holding their own land. Then, in a famous article, R. H. C. Davis linked the ceorl holding *gafolland* with the sokeman.⁸⁶ Davis based his argument on the *Kalendar* of Abbot Samson, which describes the tenure of sokemen holding land from Bury St Edmunds in the twelfth century.⁸⁷ He suggested that the main monetary payment involved in this tenure, hidage, was paid as a rent but appeared to have its origin in a tribute paid to the king. Moreover, the sokemen's conditions of tenure appeared similar to that of those holding by gavelkind in Kent (to be discussed in more detail Chapter Seven). Davis asserted therefore that hidage could be equated with *gafol*, and that *gafol* was a rent paid in origin as tribute. He concluded that land held by sokemen might be paralleled with *gafolland* and that the ceorl on *gafolland* was a sokeman or freeman.

Davis' arguments have not been completely accepted. While most historians agree on the basic nature of *gafol* suggested by Davis, there is less certainty about the connection between *gafolland* and the tenure of sokemen and gavelkind tenure. Aston interpreted *gafolland* as the 'tenant land' of an estate as opposed to the inland.⁸⁸ *Gafolland* was also 'taxable land' since it was according to this land that the lord of the estate paid tribute to the king. The tenants paid *gafol* to the lord as a private rent. The lord might then use this income to pay the (public) tribute to the king. In this view, however, *gafolland* could be applied to any taxable land and did not need to be linked to a particular tenure or tenant.⁸⁹ Loyn and Finberg were equally unwilling to link *gafolland* to a specific category of tenant or tenure. Faith has written that *gafol* was tribute payable to the king which became 'indistinguishable from rent'.⁹⁰ *Gafolland* was a particular type of land, probably that from which the tax burden of an estate was due,

⁸⁵ Stenton, *Anglo-Saxon England*, pp. 261-2.

⁸⁶ Davis, 'East Anglia', p. 33.

⁸⁷ See Nielson, 'Customary Rents', pp. 115-20.

⁸⁸ Aston, 'Origins of the Manor', pp. 8-11.

⁸⁹ See also Loyn, *Anglo-Saxon England*, p. 193; Finberg, 'Anglo-Saxon England to 1042', p. 511.

⁹⁰ Faith, *English Peasantry*, pp. 105-6; Faith, 'Tidenham', pp. 44-5.

identifiable with what she has termed the warland.⁹¹ This would suggest a connection between *gafol* and the ‘warland peasantry’, who included, in Faith’s view, sokemen and those of similar status. However, as *gafol* had been originally a ‘universal burden’, it might in practice have been owed by a range of different individuals, including *geburas* who had fallen into dependence since it was first established.

More specifically, Davis’ arguments have been qualified by alternative interpretations of the Alfred-Guthrum Treaty itself. If the ceorl sitting on *gafolland* was equivalent to a sokeman, this would equate a member of the higher peasantry with a Danish freedman. Yet a freedman might be assumed to have been of a relatively low status in comparison to a sokeman. Davis defended his view by noting that the wergeld of eight half-marks assigned by the treaty to other freemen was too high to have been connected with members of the ceorlisc class.⁹² Maitland, Stenton and Whitelock, followed by Keynes and Lapidge in their translation of the Treaty, have all argued, however, that the ceorl sitting on *gafolland* represented only ceorls of a lower status.⁹³ The second clause of the Treaty had artificially raised the wergeld of most freemen to that of a thegn to maintain the peace, protecting both Danes and Englishmen with an unusually expensive wergeld. Only the wergeld of lower-status ceorls, who might more readily be compared with Danish freedmen, was not raised. Similarly, in the treaty made between Danish and English in the reign of Æthelred II, freemen of both sides were universally paid for at the highest wergeld.⁹⁴ The above reasoning was questioned by Kershaw in a recent article, where he suggested that setting especially high wergelds might have simply made the wergelds less payable and contributed to an *increase* in violence.⁹⁵ He pointed to the tenth-century *Ordinance of the Dunsæte* between the

⁹¹ See Pratt, ‘Taxation and Manorial Structures’ for an alternative interpretation of warland.

⁹² Davis, ‘East Anglia’, p. 34.

⁹³ Maitland, *Domesday Book and Beyond*, p. 44, n. 1; Stenton, *Anglo-Saxon England*, pp. 261-2; EHD, I, p. 381, n. 3; Keynes and Lapidge, *Alfred the Great*, p. 10, n. 3.

⁹⁴ For the treaty, see Liebermann, *Gesetze*, I, 220-5. Translation in EHD, I, no. 42.

⁹⁵ Kershaw, ‘The Alfred-Guthrum Treaty’, pp. 54-6.

English and Welsh where the wergelds of both sides were halved.⁹⁶ He did not, however, suggest an alternative identity for the ceorl on *gafolland*.

What might the relationship between *gafol*, *gafolland* and less dependent tenants have been? *Gafol* appears eleven times in the *Rectitudines*, although each time the context and the precise terminology used is different. These separate usages of the word are summarised in Table 1.1 below.

Clause	Terminology	Context
2	<i>Landgafol</i>	Payable by <i>geneat</i> .
3	<i>Ne ðearf he landgafol syllan.</i>	<i>Cotsetla</i> need not pay <i>landgafol</i> .
4.1	<i>X gafolpenigas</i>	Payable by <i>gebur</i> .
4.2	<i>Gauolyrðe</i>	<i>Gebur</i> ploughs three acres as <i>gauolyrðe</i> , sown with seed from his own barn.
4.5	<i>huniggafol, metegafol, ealugafol</i>	<i>Gebur</i> may pay <i>gafol</i> in honey, food or ale, depending estate custom.
5	<i>...gif he gafolheorde healt...</i>	If the beekeeper has a swarm subject to <i>gafol</i> ...
5.1	<i>...Ðæt he sylle V sustras huniges to gafole on suman landum gebyreð mare gafolræden</i>	...the beekeeper pays five sesters of honey as <i>gafol</i> on the estate in question, but on others there is a greater <i>gafol</i> arrangement.
6	<i>gafolswane</i>	Swineherd subject to <i>gafol</i> .

Table 1.1: Different usages of *gafol* in the *Rectitudines Singularum Personarum*.

⁹⁶ The *Ordinance of the Dunsæte* is printed and translated in Thorpe, *Ancient Laws*, pp. 352-7. For the *Ordinance* see also Gelling, *West Midlands*, pp. 113-19.

The fact that both the *gebur* and *geneat* paid *gafol* has been cited as a difficulty.⁹⁷ The more dependent tenantry might not be expected to pay a money rent that was in origin a tax since public obligations have been largely seen in the historiography to be the preserve of the higher peasantry.⁹⁸ However, it is clear from the usage of the word in the *Rectitudines*, as well as in the Hurstbourne survey where it also appears, that in these contexts *gafol* simply meant ‘rent’. It is notable in this respect that the Tidenham survey does not use the word *gafol* in the same way that the *Rectitudines* does. The twelve pence due from each yardland at Tidenham are pennies not *gafol* pennies. The right of having mast for the feeding of pigs is described in the Tidenham survey as ‘mast-right’. *Gafol* is mentioned nowhere in the Tidenham survey except in the word *gafolland*. The *Rectitudines*, however, describes the *gafolswane*, a swarm of bees subject to *gafol*, and the *gafolræden* that the beekeeper is subject to. *Gafol* was possibly the word chosen by the particular author of the *Rectitudines* to refer to all kinds of payments. *Gafol* might not, in the context of the surveys, have been a significant word in itself. If *gafol* simply meant rent, it could have been owed by any kind of tenant. What differed may have been the relative importance of the rent, and there are clear economic reasons for this. According to the *Rectitudines*, the *gebur* could pay *gafol* in food, money or ale. The three acres he sowed and harvested as part of his rent were *gauolyrðe*.⁹⁹ The *geneat*, however, paid *landgafol* – ground rent – as the main due for his holding. Moreover, even if the word *gafol* did have a greater meaning in the surveys than simply ‘rent’, that is, if its origins as a tax were actively understood, there is no reason why it should not have been payable by dependent peasants such as the *gebur*. All ceorlas were free men and thus all were in theory liable to public burdens. In fact, the one common payment made by all the free tenants described in the *Rectitudines*, namely the thegn, the *geneat*, the *cotsetla* and the *gebur*, was Peter’s pence – a public payment.

⁹⁷ For example, Faith, *English Peasantry*, p. 106.

⁹⁸ For example, Joy, ‘Sokeright’, pp. 288ff.

⁹⁹ RSP, cl. 4.2.

If *gafol* meant rent, and could be paid by all tenants, what was *gafolland*, and who were the ceorls who held *gafolland*? It is clear that *geburas* could hold *gafolland* because the tenth-century will of Wynflæd specifically bequeathes to Shaftesbury abbey ‘the *geburas* who live on the *gafolland*’.¹⁰⁰ If *gafolland* was rented land, there is no reason why *geburas* should not have held it, since this class paid rent as part of the package of services that they owed. Faith has suggested that *geburas* typically held parts of an estate’s inland, but this does not mean that they could not also hold *gafolland* depending on individual circumstances.¹⁰¹ It is, however, also likely that less dependent tenants who did not have their own land, like the *geneat* who paid *landgafol*, held *gafolland*. Since peasants of differing socio-economic statuses paid *gafol*, a similar range of individuals could have held *gafolland*. The ceorl who held *gafolland* could have been any peasant who held all of his land at rent from a lord. It is possible that Davis had over-interpreted the evidence of the Alfred-Guthrum Treaty. The variety of peasants that could hold *gafolland* also means that it is necessary to exercise caution when associating different kinds of peasants with different kinds of land.

Less dependent tenants also received land in return for particular services. The leases already discussed are examples of this. On some estates a portion of land was set aside for the reeve, which indeed may have been one of the advantages of taking on this position. The will of Leofgifu (1035*1044) bequeathes an estate at Stonham to Æthelmæer, which had been lent to him as reeve-land (*to reflande*).¹⁰² A mid-eleventh-century lease made by the bishop of Winchester also mentions the reeve-land’.¹⁰³ The

¹⁰⁰ Whitelock, *Wills*, no. 3 (S 1539). ‘*para gebura þe on þam gafollande sittað*’.

¹⁰¹ Faith, *English Peasantry*, ch. 2.

¹⁰² Whitelock, *Wills*, no. 29 (S 1521). For reeve-land, see Pugh and Crittall, *A History of Wiltshire*, II, pp. 82-3.

¹⁰³ Robertson, *Charters*, no. 107 (S1403). ‘*þa mæde þa gebyraþ to ðam gereflande*’.

Rectitudines recommended that the ‘beadle’ (*bydele*), an assistant to the reeve, should have ‘some piece of land for his labour’.¹⁰⁴

Wills and charters also refer to *earningaland*. In a will of 1043*1045, Thurstan granted away the estate of Weston, except for the *earningaland* held by Sæwine.¹⁰⁵ Ketel, who held land in late- eleventh-century Norfolk, bequeathed the *earningaland* that Ælfwold held to the church.¹⁰⁶ It is difficult to interpret the nature of *earningaland*. Land held in return for services rather than rent suggests an association with the more dependent peasantry. A comparison might be made with the *geburland* recorded in an Abingdon charter of 956.¹⁰⁷ Holdings on the estates of Ramsey Abbey in Huntingdonshire or of Burton Abbey in Staffordshire in the twelfth century could be held either ‘by work’, or ‘by rent’, the land held by work being associated with a greater degree of dependence.¹⁰⁸ At Bury Saint Edmunds in the eleventh century, there were sixteen hides of arable land, six hides in demesne and ten held by the men as *earningaland*, suggesting that *earningaland* in this context was ‘tenant’ land held by dependent peasants for labour services.¹⁰⁹ The wills noted above, however, feature single, named individuals. This contrasts with the collective way that dependent peasants were often featured in documents. The tenth- or eleventh-century East Anglian will of Siflæd grants her tenants (*landsethlen*) their tofts.¹¹⁰ Where slaves were freed in wills, this was usually done collectively; a typical phrase would be ‘and all my men shall be free’ (*alle mine men fre*).¹¹¹ The tenth-century will of Æthelgifu refers to some slaves by

¹⁰⁴ RSP, cl. 18.1. ‘*eac him gebyreð sum landsticce for his geswince*’. For the beadle, see Lennard, *Rural England*, pp. 276-7.

¹⁰⁵ Whitelock, *Wills*, no. 31 (S1531).

¹⁰⁶ Whitelock, *Wills*, no. 34 (S 1519).

¹⁰⁷ Kelly, *Charters of Abingdon Abbey*, no. 59 (S 663).

¹⁰⁸ *Cartularium*, pp. 241ff; Bridgeman, ‘Burton Abbey Surveys’.

¹⁰⁹ Robertson, *Charters*, no. 104 (Notes concerning food-rents and charitable gifts from Bury St Edmunds).

¹¹⁰ Whitelock, *Wills*, no. 38 (S 1525a).

¹¹¹ For example, Whitelock, *Wills*, nos. 38 (S1525a) and 24 (S 1527).

name, but a number of people are listed as opposed to a single individual.¹¹² Perhaps, like *gafolland*, *earningaland* could be held by both less dependent tenants and the dependent peasantry. Possibly, *earningaland* could refer both to the holdings of dependent tenants in return for regular labour services (as suggested in the surveys discussed above) and to land held by less dependent tenants in return for specific services.

The will of Ketel grants ‘freeland’ (*fre lond*) to his reeve, Mann, for his lifetime.¹¹³ This may represent a further, more privileged way in which less dependent tenants might hold land from a lord. In this context, the land, given as a lease, may have been ‘free’ because it was not subject to any rents or services. Perhaps the land held independently by the freemen discussed in the previous section was also known as ‘freeland’.

Administrative documents suggest the tenorial conditions under which less dependent tenants held their land. It is clear that lords could retain considerable rights, including the ability to grant away lands with the sitting tenants. The sokemen in the Eversley writ were transferred with their lands to Westminster Abbey, whose lordship they were then expected to recognise. In his will, Ketel bequeathed the *earningaland* that Ælfwold had to the church as well as all the land that Wihtric, Leofwine, Siric and Goding had in their possession (*under hande*).¹¹⁴ In some respects, this is comparable to the frequent granting of estates ‘with the men’, usually assumed to be dependent tenants or slaves.¹¹⁵ It also may have been possible for a lord to change the conditions of tenure at will. Ine 67 decrees that if a man was holding a yardland or more at rent, and his lord demanded services, he had either to accept the new contract or leave and forfeit his

¹¹² Whitelock, *Will of Æthelgifu*, pp. 6-17, for example lines 6-7; 21-2 and 23-4 (S 1497).

¹¹³ Whitelock, *Wills*, no. 34 (S 1519).

¹¹⁴ Whitelock, *Wills*, no. 34 (S 1519).

¹¹⁵ For example, Whitelock, *Wills*, no. 10 (S 1498).

crops.¹¹⁶ If the lord gave him a house, he had to accept the new terms and could not leave.

However, there is at least one example of an attempt to protect the rights of an individual. Thurstan bequeathed to Ely Abbey all the land at Wetheringsett except that which Ælfric had.¹¹⁷ Ælfric could hold this land freely for his lifetime and his wife could continue to hold it for hers, after which it would pass to the village church. Documents from Ely and Rochester show that *geburas* were able to leave their lands and move elsewhere, albeit under the watchful eye of their lords; certainly less dependent tenants must have enjoyed this kind of mobility as well.¹¹⁸

Less dependent tenants might also have held their ‘own’ land. The eleventh-century text *Gebyncþo* noted that the ceorl needed five hides of his own land (*agenes landes*) to obtain the rank of a thegn.¹¹⁹ This probably meant that the ceorl held the land in his own right, that is, that it was not held on loan, was not subject to rent or services, and could be disposed of freely. Post-obit bequests to various *cnihitas* and other tenants suggest one way in which such land could be obtained. The king also made grants to various individuals, some of whom may have been ceorls, in return for service. One and half hides in Wiltshire were given by King Eadwig to Wulfric the Huntsman, while two and half hides in Devon were granted by the same king to his ‘faithful man’.¹²⁰ Some of these individuals possibly were ‘king’s thegns’ of the type listed in Domesday Book. In certain parts of England, land could be purchased. The land market is discussed in Chapter Two.

The landholdings of less dependent tenants could vary widely in area. *Gebyncþo* suggests an upper limit of five hides for the land that a ceorl could hold in his own right without becoming a thegn. There are records of ceorls holding much more than this,

¹¹⁶ Ine cl. 67 (Liebermann, *Gesetze*, I, 88-123; EHD, I, no. 32).

¹¹⁷ Whitelock, *Wills*, no. 31 (S 1531).

¹¹⁸ Pelteret, ‘Two Old English Lists of Serfs’, p. 493 and pp. 472-4 (S 1481f and S 1481e).

¹¹⁹ Liebermann, *Gesetze*, I, 456-9; EHD, I, no. 51.

¹²⁰ B 968 (S 637); B 1027 (S 653).

however, presumably on lease or for services. A charter of 984 refers to eight hides of land held by the ceorl (*rusticus*) Ætheric.¹²¹ Less dependent tenants also may have held as little as a yardland, the typical holding of a *gebur*. The tenant described in Ine 67, holding a yardland or more at rent from a lord, would appear to have been a *gafolgelda*, a less dependent tenant who owed nothing except rent (and who might become a *gebur* if he performed labour services and accepted a house from his lord). Less dependent tenants could hold a range of economic statuses. Moreover, their economic position could merge with that of the groups immediately above and below them in the social hierarchy. A less dependent tenant could hold more land than a thegn, provided that this land was not his ‘own’. A *gafolgelda* could hold the same area of land as a *gebur* albeit on far less restrictive conditions.

Mobility between these different groups was possible. *Gebyncho* suggests that a ceorl could become a thegn by acquiring land and fulfilling certain other prerequisites (including the possession of a church, a fortified dwelling and a seat and office in the king’s hall).¹²² How a ceorl might acquire five hides of land has already been discussed. Building projects required sufficient economic resources and man-power, but an individual with five hides of his own land presumably would have possessed these. The association between less dependent tenants and high-status service is clear, so it is quite possible that an individual of this status could have obtained a seat in the king’s hall. On the other hand, as Ine 67 would suggest, a *gafolgelda* or other higher-status peasant might also fall into a position of dependence, perhaps through the coercion of a lord. Economic conditions may also have been important. A Durham manumission document freed some peasants who had become slaves in return for food.¹²³ A less dependent tenant equally may have been forced to take on land in return for labour services in times of economic hardship.

¹²¹ Kelly, *Charters of Abingdon Abbey*, no. 122 (S 855).

¹²² *Gebyncho*, cl. 2. See Liebermann, *Gesetze*, I, 456-9; EHD, I, no. 51.

¹²³ K 925; EHD, I, no. 150.

Discussion

Many less dependent tenants were of a high socio-economic status, holding their land either in their own right or in return for a cash rent and high-status obligations, including military service. While a connection between sokemen in particular and royal service has often been suggested, based largely on Domesday and later evidence, it should be noted that the obligations described in this chapter were owed mainly to lay and ecclesiastical lords.¹²⁴ An emphasis upon high-status service suggests that some less dependent tenants had much in common with thegns, who derived their own position from similar service to great lords or the king.¹²⁵ In addition, it is likely that less dependent tenants, while serving their own lords, were themselves lords with their own tenants.

Tenants such as the *geneat* were also burdened with agricultural services, however. Administrative and supervisory duties, for example fencing work or the office of reeve, may have been time-consuming and were closely connected to the manorial organisation. In these respects, the situation of less dependent tenants might appear closer to that of lower-status peasants such as the *cotsetla* and the *gebur*. Moreover, there probably were more individuals performing these kinds of obligations than those of a higher-status nature discussed above. Less dependent tenants can therefore be seen as a group occupying a range of socio-economic statuses between the poorer and more dependent peasantry on the one hand and the lower ranks of the nobility on the other. The differences between these social positions were relative, rather than absolute, and both upward and downward social mobility was possible.

The tenurial conditions of less dependent tenants reflect this situation. Less dependent tenants could, like thegns, hold land in their own right. Equally, leases could

¹²⁴ Joy, 'Sokeright', pp. 288ff; Oosthuizen 'Sokemen and Freemen'.

¹²⁵ Gillingham, 'Thegns and Knights', p. 140.

be obtained by both groups. *Gafolland* could be held, apparently, both by *geburas* and higher status rent-payers, and the situation on land held for services may have been similar.

This chapter has indicated the socio-economic position of less dependent tenants and the roles they played. The pre-Conquest evidence for this group is nevertheless fragmented. It is difficult from this evidence alone to understand how less dependent tenants of differing statuses were related to one another, how they fitted into the tenurial landscape, how they were distributed geographically and why and how their situation changed over time. Chapter two begins to answer these questions by discussing less dependent tenants in the context of a single locality in tenth-century East Anglia. Later chapters use the more detailed and comprehensive evidence of Domesday Book and post-Conquest surveys. More importantly, the pre-Conquest evidence tells us almost nothing specific and of certainty about freemen and sokemen. A discussion of various categories of less dependent tenant such as the *geneat* suggest what the situation of freemen and sokemen may have been, but this information needs to be compared with Domesday and later evidence to be fully appreciated.

Less Dependent Tenants in Tenth-Century Cambridgeshire: The Evidence of the *Libellus Æthelwoldi Episcopi*

The evidence discussed so far has demonstrated the variety of roles that less dependent tenants could play in the late Anglo-Saxon period, and the multiplicity of ways in which they could hold land. The *Libellus Æthelwoldi Episcopi* offers a unique opportunity to analyse these individuals, their lands and their socio-political relationships in the context of a single locality.¹ The *Libellus* is a cartulary chronicle commissioned at Ely in the twelfth century but based on lost vernacular documents from the late tenth century. It describes in great detail the land transactions (purchases, exchanges, gifts and bequests) through which Bishop Æthelwold built up an endowment for the re-founded monastic community at Ely in the 970s. Many transactions involved

¹ Principal manuscripts are: Cambridge, Trinity College, MS 0.2.1; Cambridge, Trinity College, MS 0.2.41; London, British Library, MS Cotton, Vespasian A xix. All quotations in this chapter are taken from E.O. Blake's standard edition of the *Liber Eliensis*, based on the University Library manuscript (Blake, *Liber Eliensis*, pp. 65-117). Also useful has been the as yet unpublished translation of the *Libellus* by Keynes and Kennedy, an important supplement to Blake's edition as it is based on the Trinity College and British Library manuscripts, both of which are thought to be independent versions of the original (Keynes and Kennedy, *Libellus Æthelwoldi Episcopi*, pp. 84-140). An English translation is found also in Fairweather, *Liber Eliensis*, pp. 84-140. Translations in this chapter are based on the translation by Keynes and Kennedy. For discussion of the *Libellus* and Ely in general see Whitelock, 'Foreword', in *Liber Eliensis*, ed. Blake, pp. ix-xviii; Keynes, 'Ely Abbey 672-1109', esp. pp. 7-9 and pp. 15-27; Miller, *Abbey and Bishopric*, pp. 16-21; Keynes, 'Ely Abbey'; Kennedy, 'Law and Litigation'. See also Hudson, 'Review Article: Liber Eliensis'.

extremely small areas of land and some of the vendors may have been less dependent tenants. This evidence can be used to illuminate how less dependent tenants held their lands and the impact of the land market upon this group, especially in terms of social mobility. The *Libellus* also describes in detail how transactions were completed in and out of the local courts. Many became the subject of disputes in the unsettled period following the death of Edgar in 975, and the course of these is recorded in similar detail. The *Libellus* also provides an insight into socio-political conditions in late tenth-century East Anglia and the roles that less dependent tenants may have played, therefore. The *Libellus* records events in Cambridgeshire, Huntingdonshire, Bedfordshire, Hertfordshire, Suffolk, Norfolk and Essex. The majority of transactions and disputes, however, involve land in Cambridgeshire, the county upon which this chapter focuses. The first part of this chapter considers the landholdings of less dependent tenants in tenth-century Cambridgeshire, the nature of the land market and its impact upon these individuals. The second part deals with the socio-political roles played by less dependent tenants. First, however, it is necessary to consider some background information.

The source material and Anglo-Saxon Cambridgeshire

The *Libellus* exists today in four principal manuscripts. These are Cambridge, Trinity College, MS 0.2.1. (s xii^{ex}, as part of the *Liber Eliensis*, see below), Cambridge, Trinity College, MS 0.2.41 (s xii, with other cartulary material), Cambridge, University Library, MS, EDC (s xiii, as part of the *Liber Eliensis*) and London, British Library, MS Cotton, Vespasian A xix (s xivⁱⁿ, with *Liber Eliensis*, book III). The *Libellus* was printed as a work in its own right in the seventeenth century, but is most accessible to scholars as book ii of the *Liber Eliensis*, a cartulary chronicle compiled at Ely in the 1170s,

incorporating the *Libellus* and continuing with a narrative of the later history of the abbey.²

The narratives recorded in the *Libellus* were dismissed by the nineteenth-century authors of *Essays in Anglo-Saxon Law* as ‘monkish inventions of the twelfth century’, and they excluded all except the ‘least improbable’ from their collection of Anglo-Saxon legal disputes.³ This view can no longer be supported, however, and there is now no reason to suspect that the Latin text does not replicate the Old English of the original documents in ‘a broadly accurate form’.⁴ The original documents themselves probably were produced close in time to the events they record and can be seen as a reliable guide to the tenth-century situation.⁵

The *Libellus* presents nevertheless several difficulties. First, its monastic origin poses problems of reliability and selectivity. The twelfth-century compiler may not have had access to all the vernacular documents originally produced.⁶ Moreover, when monastic compilers edited their source material, they usually were concerned primarily to emphasise continuity between the history of their house and the present, justifying the abbey’s right to its landholdings. This influenced the material they included and how it was presented.⁷ As this chapter is concerned with the basic facts of the land transactions and with useful anecdotal evidence, however, these issues need not cause concern. Second, the *Libellus* is concerned primarily with the activities of Bishop Æthelwold and Ely Abbey. It mentions land transactions between lay individuals only rarely and cannot provide a complete picture of late Anglo-Saxon Cambridgeshire. The needs of lay

² The early edition can be found in Gale, *Historiae Britannicae, Saxonicae*. The modern editions are cited at p. 60, n. 1 above.

³ Adams et al., *Anglo-Saxon Law*, p. 380, n. 1.

⁴ Kennedy, ‘Law and Litigation’, pp. 132-3 at p. 133 for the quotation. See also Hart, *Early Charters of Eastern England*, pp. 176-7; Hart, *Danelaw*, pp. 149-50.

⁵ Kennedy, ‘Law and Litigation’, pp. 132-3.

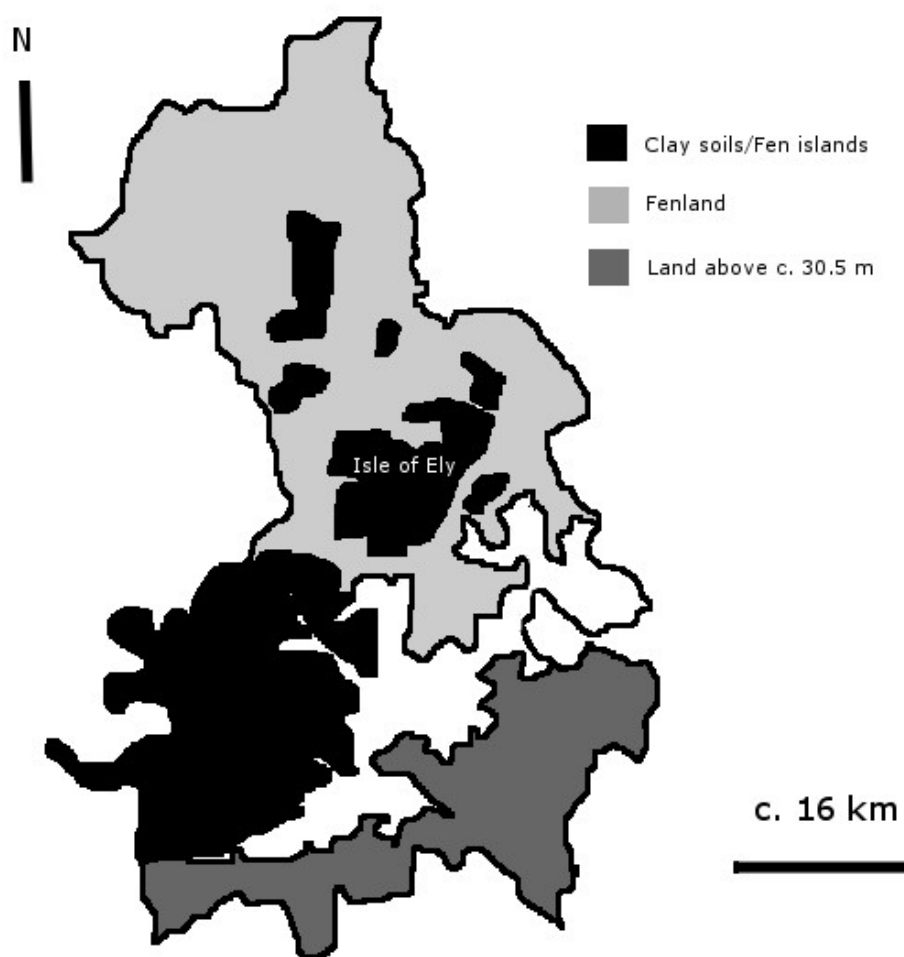
⁶ See Clanchy, *Memory to Written Record*, pp. 125-6 for the storage of charters and other records.

⁷ Gransden, *Historical Writing*, p. 272; Clanchy, *Memory to Written Record*, pp. 117-29; Paxton, ‘Forging Memory’.

individuals differed from those of an ecclesiastical institution and the impact of lay involvement in the land market upon less dependent tenants may have differed from that of the church. Moreover, because of its focus on Ely, the *Libellus* provides considerable information about less dependent tenants as vendors, but little about their ability to purchase land. Third, the *Libellus* provides little information about the status of the individuals it records. Although certain high-status individuals are recorded with their title, most of those recorded appear with no indication of their social position at all. None of those recorded are identified specifically as sokemen or freemen, although, as will be seen, it is certain that people of this type were involved in a number of the transactions. In order to identify these individuals, it will be necessary to use what is known about the landholdings and social obligations of less dependent tenants from the pre-Conquest sources discussed in Chapter One.

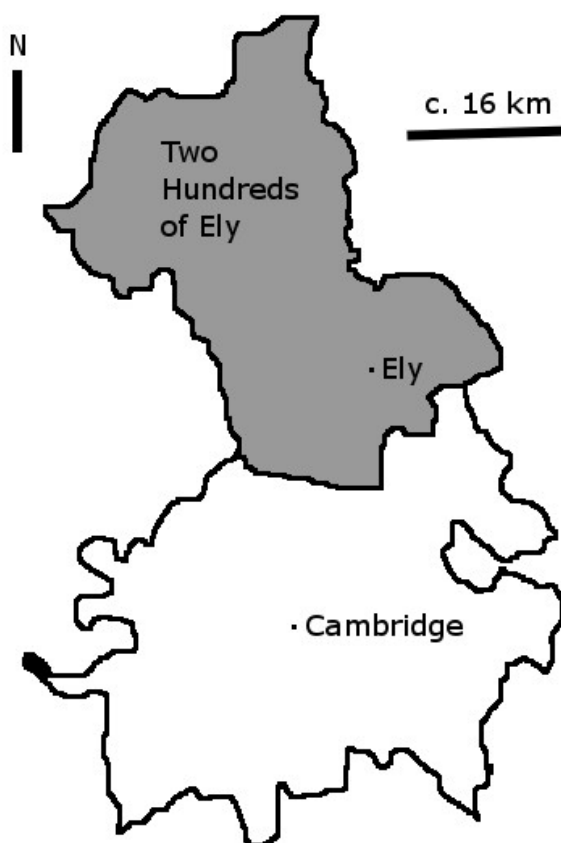
Cambridgeshire can be divided into three topographical regions.⁸ The northern half of the county consisted almost entirely of fenland in the medieval period. The population density was low and villages were located only on the fen islands, the most important being the Isle of Ely where Ely Abbey was situated. Most of this region fell within the soke of Ely Abbey, which in Cambridgeshire comprised the two hundreds of Ely. To the east, there is a region of heavy clay soils. The East Anglian Heights, a northeast continuation of the Chiltern Hills, run from the southwest to the east of the county. The soils in this region are light and chalky, except in the southeast where boulder clay overlies the chalk.

⁸ Darby, *Domesday Geography of Eastern England*, p. 268 and pp. 270-1.



Map 2.1: Cambridgeshire in the early medieval period: topography⁹

⁹ Simplified from Darby, *Geography of Eastern England*, p. 271, fig. 75.



Map 2.2: Cambridgeshire in the early medieval period: the soke of Ely¹⁰

The landholdings of less dependent tenants and the land market

The *Libellus* records transactions involving very small parcels of land, including some that may have been discrete units. It also records land held on lease. This section begins by identifying land that may have been held by less dependent tenants in order to

¹⁰ Simplified from Darby, *Geography of Eastern England*, p. 265, fig. 72.

understand better what the pattern of landholding amongst this group may have been. Since all of these lands appear in the *Libellus* precisely because they were being sold or otherwise given away, it also is possible to infer something of the tenurial conditions under which they were held. Much of the value of the *Libellus*, however, lies in the broader evidence it provides concerning the land market in tenth-century East Anglia. The second part of this section focuses on this land market and its impact upon less dependent tenants.

Less dependent tenants and their lands

The *Libellus* records eighty-four land transactions, including sixty-eight sales (52%), nine exchanges (16%) and twenty-four bequests (21%). Of these transactions, thirty-five (37%) involved one hide of land or less. Not all of those involved in small transactions were of a non-noble status. Æthelstan son of Mann bequeathed Ely Abbey one hundred acres in Wold and is mentioned nowhere else in the *Libellus*.¹¹ He was actually a significant landholder in the region, however, who, according to the *Liber Benefactorum* of Ramsey Abbey (a twelfth-century cartulary chronicle covering the same period as the *Libellus*) bequeathed land in fourteen different villages in his will.¹² On another occasion, Ramsey Abbey sold just ten acres to Ely.¹³ These reservations aside, however, the sheer number of small transactions described in the *Libellus*, coupled with the fact that the vast majority of those initiating them are recorded nowhere else (76%), does suggest that small landholders often were involved. Some of these may

¹¹ LAE, ch.18; LE, ch. 13.

¹² *Chronicon*, ed. Macray, ch. 14; *Ramsey's Book of Benefactors*, ed. Edgington, ch. 14 (S 1503a).

¹³ LAE ch. 33; LE ch. 23.

have been less dependent tenants. Various small transactions are detailed in Table 2.1 below.

Particularly suggestive are transactions involving around sixteen to eighty acres (highlighted in Table 2.1), especially when a ‘farm’ (*predium*) or a farm with buildings was included. We cannot know what the farm consisted of in the physical sense but this terminology implies a self-contained unit as opposed to land hived off from a larger holding. The immediate holders of these lands may have been less dependent tenants. Although small in comparison with the lands of the high-status landholders who appear in pre-Conquest wills and charters, holdings of around seventy acres in particular were nevertheless quite substantial and might have resembled small manors. These could only have been cultivated with additional slave or tenant labour, and this is indeed suggested by the presence of houses on the holdings, or in the case of one holding, its division into five small ‘farms’ with houses. Although the situation described in the *Rectitudines* may not be directly comparable to that which existed in East Anglia, these characteristics call to mind the kind of holding suggested for the *geneat* in Chapter One: a small estate that was large enough to allow its holder the free time to carry out high-status obligations and to acquire the necessary equipment for these obligations, and that was cultivated at least part of the time by servile or tenant labour.

Chapter in LAE/LE	Details of Transaction (Unless stated otherwise, Ely is always the recipient.)
7/10	Sale of 1 hide at Stretham.
**14/11a	Sale of 80 acres and 5 farms with houses built on them (<i>v predia domibus constructa</i>) at Chippenham between lay individuals.
**14/11a	Sale of 20 acres and one allotment with houses (<i>alodum domibus edificatum</i>) at Chippenham between lay individuals.
14/11a	Sale of 10 acres at Chippenham between lay individuals.
*16/12	Exchange of 16 acres at Witchford (Isle of Ely) for 16 acres at Cambridge.
**20/16	Sale of a farm (<i>predium</i>) and 70 acres at Haddenham (Isle of Ely).
21/16	Sale of many acres from the poorer villagers (<i>plurimam acram villanis pauperioribus</i>) at Hill and Haddenham.
**22/16	Sale of a farm with buildings (<i>predium edificatum</i>) and 76 acres at Haddenham.
*24/17	Sale of 70 acres at Wilburton (Isle of Ely).
*25/17	Exchange of 80 acres at Wilburton for an unspecified area of land elsewhere.
*26/17	Sale of 70 acres at Wilburton.
26/17	Sale of ‘many acres’ (<i>plurimas acras</i>) at Wilburton.
**30/20	Exchange of a farm, 30 acres and a meadow at Cambridge for a ‘good farm with houses built on it and part of 70 acres’ elsewhere (<i>unum predium domibus constructum et partem de lxx acris</i>).
*30/20	Sale of 70 acres (part of which was later exchanged for land at Cambridge, see previous row).
31/20	Sale of 7 acres at Cambridge.

31/20	Bequest of 5 acres at Cambridge.
31/20	Bequest of 10 acres at Cambridge.
32/21	Bequest of 8 acres at Hill (Isle of Ely).
32/21	Sale of 5 acres at Hill.
32/21	Bequest of 5 acres at Cambridge.
32/21	Exchange of 53 acres at Cambridge for 60 acres at Doddington.

Table 2.1: Some small land transactions recorded in the Libellus. An asterisk indicates those of between sixteen and eighty acres; a double asterisk those that also included a 'farm' or buildings.

If these lands were held by less dependent tenants, it would be interesting to know about the conditions under which they were held, and subsequently sold. Did the less dependent tenants themselves sell the land, or was the land being sold (perhaps with sitting tenants) by higher-status landlords? There is evidence for both possibilities. Elsewhere in the *Libellus*, two hides at Wilburton were sold with five farms and buildings.¹⁴ If the five farms consisted of equal areas of land, there would have been five holdings of forty-eight acres each – similar in size to the holdings recorded in Table 2.1. In practice, moreover, the five farms might have been unequal in size and might easily have included larger holdings of perhaps seventy acres as well as smaller holdings. This transaction suggests, therefore, the sale of land with tenants, some of whom, importantly, might have been substantial individuals themselves. The transfer of less dependent tenants with their lands also has been noted in Chapter One.¹⁵

One transaction recorded in the *Libellus* makes it clear, however, that less dependent tenants were, in some circumstances, also able to sell land in their own right.

¹⁴ LAE ch. 23; LE ch. 17.

¹⁵ Chapter One, p. 55.

Two ‘villagers’ (*villani*) at Chippenham, Cambridgeshire, were prevented from buying seven acres of land.¹⁶ It is unclear what English word the term *villani* was translating, but the men must have been peasants, possibly of a similar position to those who held the lands listed in Table 2.1.¹⁷ If they could buy land, then they must also have been able to sell it if they wished. There is no indication, incidentally, that the prevention of the sale had anything to do with the social status of the *villani* in question. The two men who prevented the transaction also spoke out against a sale of land to Ely Abbey at the same meeting.

To complicate matters further, the Domesday evidence suggests that a third possibility existed. Some less dependent tenants recorded in Domesday Book could sell their land but only with the permission of their lord.¹⁸ The *Libellus* does not provide any examples of this kind of transaction in connection with less dependent tenants, but it may show permission being sought from the lord of individuals of thegnly status before a sale.¹⁹ This case is worthy of discussion since the procedures followed where less dependent tenants were involved may have been similar. Before buying eight hides at Stretham from two sisters, named Æthelflæd and Æthelgifu, Bishop Æthelwold sought the permission of Leofric of Brandon (in Suffolk), an important local thegn. While Æthelflæd and Æthelgifu do not appear in any other existing documents, it is the relatively large area of land involved that suggests their thegnly status. Blake suggested that Leofric was the sisters’ brother, but there are a number of reasons to believe that this interpretation is incorrect and that the relationship was one of lordship.²⁰ The *Libellus* states that the land at Stretham had been bequeathed to the sisters by their brother (crucially, also called Leofric) when he died. It is unlikely that two brothers would have

¹⁶ LAE ch. 14; LE ch. 11a.

¹⁷ See Introduction, pp. 5 for use of the term *villani* prior to the common law period.

¹⁸ For this kind of dependent tenure see Baxter, ‘Lordship and Justice’, p. 392 and pp. 396-8; Baxter, *Earls of Mercia*, pp. 208-9 and pp. 212-3. See Chapter Four, pp. 151-2.

¹⁹ LAE ch. 7; LE ch. 10.

²⁰ Blake, *Liber Eliensis*, p. 83, n. 1.

been given the same name (as opposed to, for example, alliterative names). Moreover, Blake's argument is based on possible scribal error and for this reason is not especially strong. The *Libellus* records that Æthelwold asked Leofric of Brandon if he could buy the land belonging to the other Leofric's sisters. Then 'Leofric (of Brandon) freely gave his permission, and his sisters (*eius sorores*) similarly agreed'.²¹ While the use of *eius* rather than *sue* here should, if the sentence is grammatically correct, mean that the other Leofric is being referred to, and not Leofric of Brandon, Blake suggested that there may have been an error. Finally, Leofric of Brandon was of sufficiently high status to make identification with the sisters' lord plausible. He had sold Ely twelve hides of land on the Isle of Ely.²² He also asked the bishop to dedicate the church on his estate at Brandon. Building a church on one's estate was, according to *Gepyncþo*, one of the requirements of thegn-right, and is typically associated with high-status landholding.²³ Archaeological evidence has shown that Brandon may have been a wealthy monastic centre in the Middle-Saxon period.²⁴ The site was, however, abandoned in the ninth century and the later village developed to the south of the old site. This new site was presumably where Leofric's estate was located, but the high-status history of the village might indicate nevertheless his own position in the tenth century.

The conduct of the transaction is interesting. Æthelwold asked Leofric for permission to buy the land at Stretham in return for dedicating Leofric's church at Brandon. Leofric had initially approached the bishop to request the dedication, offering the bishop a silver bowl and other gifts. These were declined, however, in favour of the right to buy the land. Lords may have been free to negotiate amongst themselves about

²¹ LAE ch. 7; LE ch. 10. '*Tantummodo, karissime Leovrice, annue, ut terram sororum duarum mihi emere liceat, scilicet viii hydas in Stretham quas Leovricus frater earum moriens eis dimisit...Leovricus libens annuit et sorores eius Æthelflæd et Æðeleve nuncupate similiter concesserunt*'.

²² LAE ch. 6; LE ch. 8.

²³ For *Gepyncþo*: Liebermann, *Gesetze*, I, 456-9; EHD, I, no. 51.

For church building see, Fleming, 'New Wealth', pp. 11-12; Senecal, 'Keeping up with the Godwinesons', pp. 260-1; Williams, 'A Bell-house and a Burgh-Geat', pp. 225ff.

²⁴ Carr, Tester and Murphy, 'Brandon'.

the lands of their men, and the right to purchase land could form part of a bargain between lords that had nothing to do with the man himself.

Land also could be purchased from much smaller tenants than those discussed so far. The abbey bought ‘all the land of Ælfsige and many acres from the poorer villagers in the same village’.²⁵ Ely also bought seventy acres from one individual and ‘many acres from others, whose names are not written down’.²⁶ Who were these ‘poorer villagers’? One possibility is that they were dependent tenants owing heavy labour services, similar to the *geburas* recorded in the *Rectitudines*. Although the *Rectitudines* is describing an estate in west or southwest England, such individuals might also have been found in Cambridgeshire. A late Anglo-Saxon will concerning land at Marlingford, Norfolk grants the *landsethlen* their tofts as ‘their own possessions’ (*to owen aihte*), suggesting their previous economically dependent position.²⁷ The term *gebur* appears in a document from the Hertfordshire estate of Hatfield, while the term *æhteman*, thought by Pelteret to mean a dependent tenant in certain contexts, appears in a document from the estate of Wouldham in Kent.²⁸ Hertfordshire and Kent are close to Cambridgeshire, and Hatfield even features in certain transactions in the *Libellus*.²⁹ The wording used for the transactions in the *Libellus* discussed above strongly suggests that the villagers concerned were selling their own land, however, and that it was not being purchased through a lord. And it is unlikely that a *gebur*, or a similar individual, would have sold his land, since, according to the *Rectitudines*, he could not even bequeath it. The land returned to the lord upon the tenant’s death, and it is made clear that the land is the lord’s property and not that of the tenant. Payments by *geburas* to lords are known, but

²⁵ LAE ch. 21; LE ch. 16. ‘*emerunt fratres ecclesie totam fere terram Alfsii et plurimam acram a villains pauperioribus eiusdem ville*’.

²⁶ LAE ch. 26; LE ch. 17. ‘*ab aliis quorum nomina scripto non commendantur, quamplurimas acras ibi emerunt*’.

²⁷ Whitelock, *Wills*, no. 38 (S 1525a). Whitelock’s edition provides *landsethlen*. An alternative edition (K 947) provides *landseölen*.

²⁸ See Pelteret, ‘Two Lists of Serfs’, p. 493 for *æhteman* (S 1481f) and pp. 496-500.

²⁹ For example, LAE chs. 5 and 8; LE chs. 7 and 10.

these seem to have been for release from services and do not involve the purchase or sale of land.³⁰ It would seem, therefore, that these ‘poorer’ individuals were either *cotsetlas* (whose tenurial rights are unclear) or perhaps poor but relatively independent peasants, perhaps the rent-payers discussed in Chapter One.³¹ It is not possible to be more specific than this. What these examples do suggest, however, is that the transfer of land in the tenth century could occur at all levels and that freedom of disposition in this period was not confined only to those peasants who held substantial areas of land.

Less dependent tenants might also be expected to hold land on loan, as the *radcnihtas* did from the Bishop of Worcester. The acquisition of land by lease has been cited as a factor that promoted social mobility and may have benefited non-noble freemen.³² Leases do not feature prominently in the *Libellus*, perhaps because the abbey was still building up its endowment. A certain area of land held by Edward and Byrhtferth at Witcham on the Isle of Ely may have been a lease, however.³³ Yet, the language is unclear. The Latin reads ‘*l acras, quas Edwardus et Brihtferthus habere solebant mutuuum*’. Fairweather has translated this as land which ‘they used to have on loan’, whereas according to Keynes, it is land that they ‘held together by custom’.³⁴ If the land was on loan it is possible that Edward and Byrhtferth ‘used to hold the land’ because the lease had expired and reverted to Ely. This certainly would explain the rest of the entry in the *Libellus*, which reads that ‘these acres collected together, Saint Æthelthryth has three hides together in Witchford and Wold and Witcham’.³⁵ The small size of the holding, whether or not it was a lease, suggests that Edward and Byrhtferth were less dependent tenants. The only other example of a lease is of land given for

³⁰ See Runciman, ‘Accelerating Social Mobility’, p. 20 for payments made for release out of the *geburland*.

³¹ See Chapter One, pp. 46-7.

³² Runciman, ‘Accelerating Social Mobility’, p. 22.

³³ LAE ch. 19; LE ch. 14.

³⁴ *Liber Eliensis*, ed. Fairweather, p. 115; *Libellus Æthelwoldi Episcopi*, ed. Keynes and Kennedy, ch. 19.

³⁵ ‘*his acris simul collectis, sancta Ædeltrida habet iii hydas integras in Wicceforde et Walde et Wiceham*’.

service. Ninety-six acres were given to Grim, the son of Wine, ‘so that he might have the income from them as long as he served them [Ely] well’.³⁶ No more information is given, but given the small size of the lease, Grim probably was a less dependent tenant.

All of the evidence discussed above would suggest that a variety of different less dependent tenants held land in Cambridgeshire in the late tenth century. This included those who held substantial areas of land either in their own right or with considerable freedom of disposition; those who held similarly substantial areas but with more limited tenurial rights (either because they could be granted away with their land by their lord, or alternatively, because permission from their lord had to be sought if the land were to be sold); those who held land on loan; and, possibly, some poorer individuals who nevertheless were able to sell their land. This makes for a complex pattern of landholding. Table 2.2 lists, for each Cambridgeshire village recorded in the *Libellus*, all the holdings that were given to Ely (or otherwise associated with Ely) during the 970s, together with those that appear to have held them, including high-status individuals (see Map 2.3 for location of villages). Table 2.2 cannot, of course, represent comprehensively the pattern of landholding in each village, since it lists only the holdings recorded in the *Libellus*.

Village	Landholders and holdings
Isle of Ely:	
Witcham	Lease of 50 acres (Edward and Byrhtferth) part of a 12 hide estate (Leofric of Brandon)
Hill and Haddenham	8 acres (bequeathed by Wine son of Osmund) 5 acres (the son of Ælfstan) 70 acres and a farm (Wulfheah of Hill)

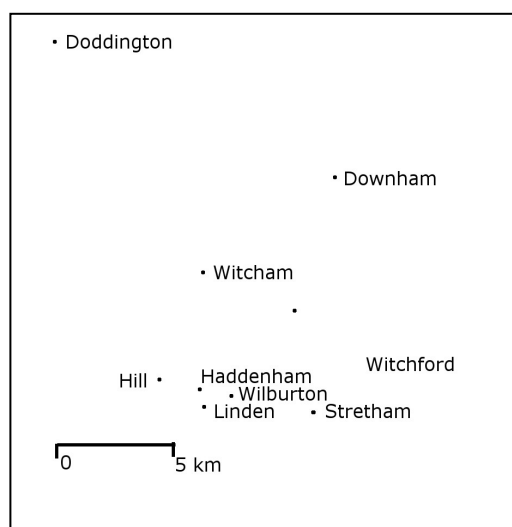
³⁶ LAE ch. 20; LE ch. 22. ‘*ut inde stipendium haberet, quamdiu ipse eis bene serviret.*’

	76 acres and a farm (Æthulf) many acres belonging to Ælfsige and the poorer villagers part of a 12 hide estate (Leofric of Brandon)
Wilburton	70 acres (Eading) 80 acres (Ælfric of Sutton – Sutton is also located on the Isle of Ely) 70 acres (Oppele) many acres from poor villagers 2 hides including five farms with buildings (Ælfwine) 2 hides (bequeathed to daughter of the thegn Siferth of Downham, see below) part of a 12 hide estate (Leofric of Brandon)
Stretham	8 hides (sisters Æthelflæd and Æthelgifu) 1 hide (Ælfwold of Mardleybury) 24 acres (bequeathed by Wulfflæd, widow of Siferth of Downham)
Downham	2 hides (the thegn Leofsige) 2 hides (sons of Earl Hereric) 2 hides (bequeathed by Siferth of Downham)
Linden	part of 12 hides held by the thegn Leofric of Brandon land held by Siferth of Downham? (Siferth was at Linden when he made his will) ³⁷
Witchford	16 acres (Osmund Hocere) 200 acres (Sumerlida)
Elsewhere in Two Hundreds	

³⁷ LAE ch. 12; LE ch. 11.

of Ely:	
Doddington and	60 acres (Gunulf)
Wimblington	10 acres (monks of Ramsey)

Table 2.2: Landholdings that were given to, or associated with, Ely Abbey, listed by village.



Map 2.3: Villages in the two hundreds of Ely where landholdings were given to, or associated with, Ely Abbey.

Several observations can be made from Table 2.2. First, many villages contained a surprisingly high number of landholders. There were at least six in Hill and Haddenham and seven in Wilburton. Second the pattern of landholding was very fragmented. Those holding land in a given village could include high status individuals, less dependent tenants and poorer peasants of unclear status. In Wilburton, for example, Eading, Oppele and Ælfric of Sutton may have been less dependent tenants (Ælfric also

was holding land in the Isle village of Sutton). There also may have been five farms held by less dependent tenants under Ælfwine; two hides held by a thegn of uncertain status, Siferth of Downham, who held land in several Isle villages; several hides held by the thegn Leofric of Brandon, a substantial landowner; and finally a number of poorer individuals.³⁸ Important landholders like Leofric of Brandon and Siferth of Downham held land distributed across several villages. Third, despite the confused pattern of landholding, it is possible nevertheless to detect some underlying rationalisation. Hill, Haddenham and Wilburton had a particularly fragmented pattern of landholding and there were many low-status landholders. Downham and Linden, on the other hand, had a smaller number of higher-status landholders. It is possible, therefore, that some attempt at consolidation had taken place, and that certain villages had become more clearly associated with high-status landholding than others. This final point is considered in Chapter Five where the Domesday evidence for Cambridgeshire is analysed.

*The land market*³⁹

As Table 2.2 illustrates, the pattern of landholding on the Isle of Ely in the tenth century was complex, and, so it seems, much of this land was held by less dependent tenants. Remarkably, however, almost all the land in this region was held by Ely Abbey at the time of Domesday, and there were few recorded less dependent tenants. The

³⁸ Wareham identifies Siferth of Downham as the son in law of the powerful king's thegn, Wulfstan of Dalham (see Wareham, *Lords and Communities*, p.39). This may not necessarily have been the case, however. Blake only suggests a connection between the two families, which may have been one of lordship, see Blake, *Liber Eliensis*, p. 86, n. 4.

³⁹ This section draws partially upon research submitted for the degree of Bachelor of Arts at Cambridge University in 2006.

evidence the *Libellus* provides on the land market may help to explain how this situation came about.

In recent work, Andrew Wareham has suggested that the land transactions recorded in the *Libellus* were gifts rather than sales.⁴⁰ Gifts of land were met with counter-gifts of money or other goods, expressing the donor's generosity and the abbey's new obligations towards him or her. The emphasis on 'purchases' in the *Libellus* was a deliberate attempt to shift 'attention away from patronage towards more business-like transactions'.⁴¹ This was in order to distance the re-founded monastery from the previous unreformed community and its existing local interests. Such an interpretation may be questioned, however. Alongside the transactions which are classified as sales, the *Libellus* also describes a number of bequests, which occurred from soon after the re-foundation. Moreover, there is one example of a bequest which occurred 'long before Bishop Æthelwold collected the monks at Ely', that is before it was re-founded.⁴² If the compiler was content to record these bequests, it is unclear why other transactions needed to be redefined as sales.

Moreover, there are good reasons for thinking that a land market could have existed by the late tenth century. Challenging Charles-Edwards' view that unlike moveable goods, land could only be passed downwards in the social hierarchy in return for service or renders, Campbell has shown that as early as before the ninth century, land and treasure were treated as equivalents and could be given and received interchangeably.⁴³ While these early transactions probably were more akin to gifts or renders than true sales, this view may suggest a basis for more 'commercial' attitudes towards land later in the period. Indeed, a considerable body of recent work has pointed to the growth and commercialisation of the English economy in the late tenth and eleventh

⁴⁰ Wareham, *Lords and Communities*, p. 37.

⁴¹ See Wareham, *Lords and Communities*, p. 37 for the quotation.

⁴² 'diu antequam Æðeluuoldus episcopus apud Hely monachos coadunasset'.

⁴³ Charles-Edwards, 'Distinction between Land and Moveable Wealth'; Campbell, 'Sale of Land'.

centuries, accompanied by a rise in conspicuous consumption and increased social mobility.⁴⁴ East Anglia may have been especially quick to experience these new developments.⁴⁵

The *Libellus* also suggests ‘commercial’ attitudes towards the sale and exchange of land. Where sales were recorded (but, crucially, not in the case of bequests), a cash value was assigned to the land. In two transactions, the price was calculated ‘per hide’ and ‘per acre’.⁴⁶ We cannot know if the transactions themselves involved the exchange of coins or of moveable goods such as livestock. It is clear, however, that coins sometimes were used. In one transaction, the abbot ‘poured out’ (*profundit*) the coins.⁴⁷ In another, coins were handed over wrapped in a glove.⁴⁸ Land was exchanged frequently in tenth-century Cambridgeshire. Some landholdings had passed already through several hands by the time of the *Libellus*.⁴⁹ Rationality was involved in decisions to buy or exchange land. Land exchanges often were mutually beneficial to both parties. In one transaction, the abbey acquired land in the village of Milton that it required for ‘access’ (*propter introitum et exitum*), by exchanging it with another holding at Fordham.⁵⁰ The individual who received the land at Fordham was persuaded by the fact that it was close to his existing holdings. Land prices appear to have been set at least partially on rational grounds. Map 2.4 shows the average prices paid per acre by the Abbey of Ely for land located in Cambridgeshire. The most ‘expensive’ areas were

⁴⁴For example, Jones, ‘Transaction Costs’; Hutchinson, ‘Origins of Kings Lynn?’; Sawyer, ‘Wealth of England’; Senecal, ‘Keeping up with the Godwinesons’; Runciman, ‘Accelerating Social Mobility’; Fleming, ‘Rural Elites and Urban Communities’; Fleming, ‘New Wealth’. See also, Maddicott., ‘Prosperity and Power’.

⁴⁵ For economic growth in East Anglia, see, Hutchinson, ‘Origins of Kings Lynn?’; Pestell, ‘Afterlife of Productive Sites in East Anglia’. For the precocious nature of East Anglia in relation to the post-Conquest land market, see, Dyer, ‘Peasant Land Market’, p. 69; Hyams, ‘Origins of a Peasant Land Market’, pp. 27-8.

⁴⁶ LAE/LE chs. 14/11a; chs. 31/20.

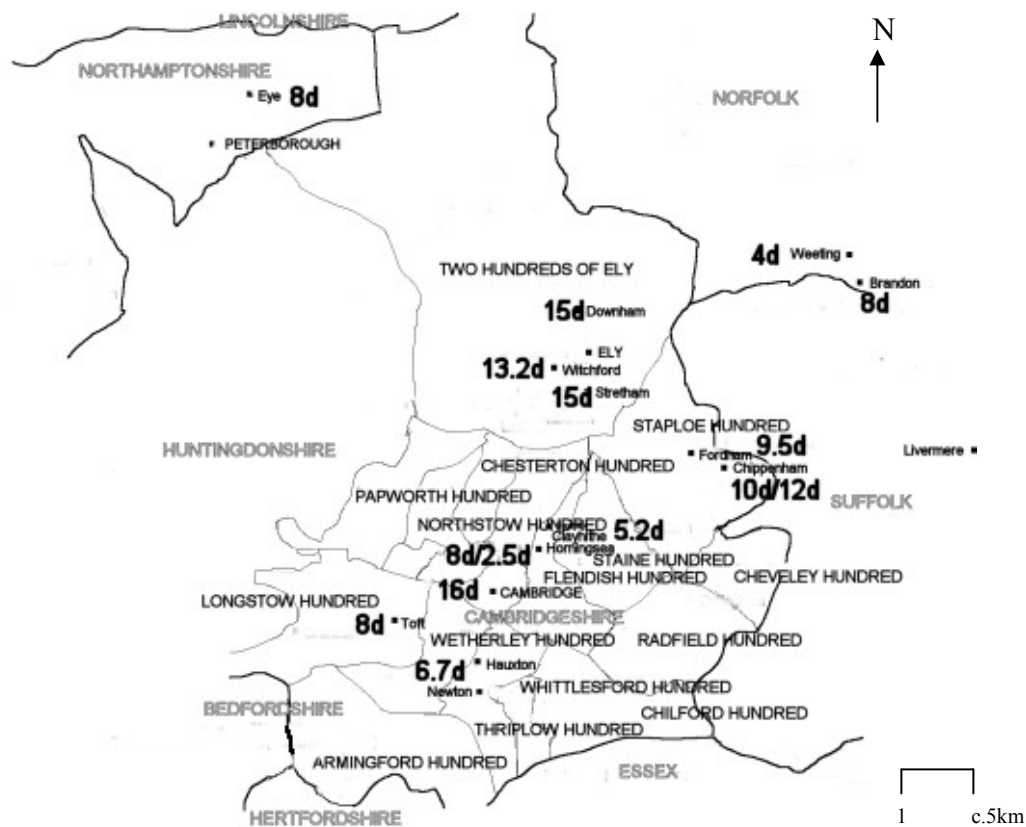
⁴⁷ LAE ch. 14; LE ch. 11a.

⁴⁸ LAE ch. 45; LE ch. 34.

⁴⁹ LAE/LE chs. 32/21; 45/34.

⁵⁰ LAE ch. 40; LE ch. 31.

the Isle of Ely and Cambridge. There may have been good reasons for this. It was in the abbey's interests to acquire the land in its immediate vicinity. At the very least, this would have allowed easy transport of produce from the land to the monastery and the close supervision of those who worked the land. The soils on the fen islands also were of an especially good quality, and good arable land was in short supply in an area consisting largely of fenland. Cambridge, on the other hand, was of regional administrative importance. A high proportion (38%) of the land transactions and disputes recorded in the *Libellus* were conducted there. Possibly the acquisition of land close to Cambridge would have helped Ely to gain influence in the public courts that were held there. Those attending the courts may have come in the greatest numbers from the immediate vicinity of the town, and an individual or institution holding land locally might have benefited from the presence of his tenants at these meetings. Prices paid at Cambridge (around sixteen pennies per acre) were slightly higher than those paid for land on the Isle of Ely. The land around Cambridge, being of relevance to a large number of individuals, may have been in much greater demand than that on the Isle of Ely, of interest to Ely Abbey principally because the abbey was located there.



Map 2.4: Average land prices (d/acre) in Cambridgeshire, as recorded in the *Libellus*.⁵¹

The tenth-century land market may have provided less dependent tenants with opportunities for upward and downward social mobility. This is indicated by a number of studies of the post-Conquest peasant land market.⁵² These have suggested that the

⁵¹ This map was originally included within a dissertation submitted for the degree of Bachelor of Arts at Cambridge University in 2006.

purchase of land allowed some individuals to improve their economic condition at the expense of others. To find opportunities for upward social mobility, it is necessary to look for purchases made by less dependent tenants. Unfortunately, the *Libellus* is primarily concerned with the activities of Ely Abbey and gives little indication of purchases made by lay individuals. There is, however, one example of an individual buying several holdings in the same village in order to accumulate a larger holding for himself. At Chippenham, Cambridgeshire, Wine purchased eighty acres, twenty acres and ten acres of land from three separate people, giving him a total holding of 110 acres, nearly one hide.⁵³ Wine's status is unclear, but given the small areas of land being purchased there is no reason why he should not have been a less dependent tenant. Others may have made similar, unrecorded, transactions. Less dependent tenants also may have benefited from exchanges. Individuals often sought to exchange land situated far from their main holdings for land closer to home. Ælfwold *Grossus* and his wife sought to sell land at Chippenham that Ælfwold's wife had received as a result of a previous marriage.⁵⁴ This couple appear to have been of a high status, but the same principle may have applied to those of a lower status as well. Rationalisation of a holding may have helped to increase the productivity of the land, thus promoting social mobility.

Participation in the land market also may have precipitated downwards social mobility. While the successive purchases at Chippenham discussed above benefited Wine, for example, they may have been at the expense of others. The strategy of land acquisition Bishop Æthelwold adopted for Ely Abbey may have contributed especially to the downward social mobility of some of those from whom land was purchased. An

⁵² Douglas, *Social Structure*, pp. 61-7; Kosminsky, *Agrarian History of England*, pp. 212-13; Miller, *Abbey and Bishopric*, pp. 130-5; Faith, *English Peasantry*, pp. 139-43; Raban, *Estates of Thorney and Crowland*, esp. p. 65; Hyams, 'Origins of a Peasant Land Market'; Dyer, 'Peasant Land Market'. See also, De Windt, 'King's Ripton'; Bailey, *Medieval Suffolk*, p. 60.

⁵³ LAE ch. 14; LE ch. 11a.

⁵⁴ LAE ch. 14; LE ch. 11a.

intention to build up systematically Ely's endowment is clear throughout the *Libellus*. The bishop 'sought to complete the work that he had undertaken [at Ely] and ...took pains to acquire countless properties'.⁵⁵ As illustrated in Table 2.2 above, the villages of Witcham, Hill, Haddenham, Wilburton, Stretham, Downham and Witchford, all located on the Isle of Ely, had in the tenth century three, four, five, four, three and three landholders respectively.⁵⁶ By the time of Domesday, all of these villages, and most others located on the Isle of Ely, were held solely by Ely. Most of the transactions to achieve this occurred, according to the *Libellus*, within a short space of time in the 970s. The need to acquire land on the Isle of Ely may be related to the particular requirement a monastic institution had to be situated within a consolidated block of land from which food could be provided for the community.⁵⁷ A lay landholder could travel around his estates and needed to feed only a single household. The *Ely Farming Memoranda*, a collection of documents from the early eleventh century that detail arrangements for the establishment of a community at Thorney Abbey, record the transfer to the new foundation of livestock, equipment and produce from Ely's estates.⁵⁸ Although the foundation of Thorney was unusual, the transportation of produce to Ely probably was a regular event, and a local network of estates was therefore important.

Indeed, the abbey went to great lengths to acquire land on the Isle of Ely from higher-status landholders. Ælfric, the son of *comes* Hereric, was approached several times but sold his land at Downham only when he needed the money to pay a tax.⁵⁹ The precise status and office of Hereric is unclear although he may have been subordinate to

⁵⁵ LAE ch. 6; LE ch. 8. '*opus quod cepit consummare diligenter studuit et...terras innumeras adquire curavit*'..

⁵⁶ LAE/LE chs. 6/8; 7/10; 8/10; 10/11; 11/11; 12/11; 13/11; 15/12; 16/12; 17/12; 19/14; 20/16; 21/16; 22/16; 23/17; 24/17; 25/17; 26/17.

⁵⁷ For the particular nature of monastic landholding, see, for example, Pestell, 'Afterlife of Productive Sites in East Anglia', p. 134.

⁵⁸ Robertson, *Charters*, pp. 252-7.

⁵⁹ LAE ch. 13; LE ch. 11.

the ealdorman of the region.⁶⁰ Less information is provided concerning land purchased from lower-status tenants. It may, however, have been extremely difficult for these individuals to avoid selling their lands. Ely bought at Haddenham ‘all the land of Ælfsige and many acres from the poorer villagers in the same village’, and at Wilburton, ‘many acres from others, whose names are not written down’.⁶¹ Some of these people, discussed above, may have been less dependent tenants. Linked to this evidence are the considerable number of disputes involving land purchased by Ely. Two individuals claimed that they had been forced to sell their lands, and two more attempted to cancel sales that they had previously made.⁶² Ælfwold of Mardleybury claimed that he had sold his land because of ‘violence and pillage’ (*rapina*).⁶³ The *Libellus* provides several examples of violence being used to defend Ely’s landed endowment.⁶⁴ These events certainly should be seen in the context of the complex burst of litigation and conflict that ensued after the death of Edgar in 975 and which involved a series of attacks upon the property of reformed monastic communities.⁶⁵ They also, however, illustrate the power and dominance of an institution such as Ely and her aristocratic lay supporters, as well as of the ability of the abbot and bishop to control the land market and the settlement of land disputes to their advantage.

A further dimension appears when the details of land transactions are analysed more closely. The land market may not always have functioned fairly or rationally. While Map 2.4 suggests that prices paid for land were reasonably consistent, on occasion there could be significant differences in the prices paid for different landholdings in the same area. The transaction at Stretham, which, as discussed above, took place only with the permission of Leofric of Brandon, was for four hides at a price

⁶⁰ Whitelock, ‘Foreword’, p. xiv.

⁶¹ LAE/LE chs. 21/16; chs. 26/17.

⁶² LAE/LE chs. 8/10; 12/12; 6/8; 10/11.

⁶³ LAE ch. 8; LE ch. 10.

⁶⁴ LAE/LE chs. 46/35; chs. 28/18.

⁶⁵ See Fisher, ‘Anti-Monastic Reaction’; Keynes, ‘England, 900-1016’, pp. 482-3; Williams, *Ethelred the Unready*, pp. 6-11; Miller, *Abbey and Bishopric of Ely*, p. 18.

of sixty pounds, or fifteen pennies per acre.⁶⁶ A second transaction at Stretham, that involving Ælfwold of Mardleybury, who, as shall be seen was probably a less dependent tenant, was for two hides and two weirs at a price of twenty mancuses.⁶⁷ Even if the two weirs are discounted, the land would still have been sold at only two and a half pennies per acre, much less than the land involved in other transaction, and out of keeping with other examples of land sold on the Isle of Ely. Ely claimed that Ælfwold had sold his land in order to secure the independence of his wife and sons, who had been claimed as *geburas* on the abbey's estate at Hatfield. These particular circumstances, together with Ælfwold's relatively low status may have contributed to the low price he received for his land. The vendors in the first transaction, on the other hand, may have benefited from the influence of Leofric of Brandon. High prices are recorded elsewhere where high-status individuals sold their land, for example at Brandon and Livermere, where land was sold by Wihtgar, a kinsman of the powerful thegn Wulfstan of Dalham.⁶⁸ Higher-status individuals may have held sufficient regional influence that it may have been to Ely's advantage to pay higher prices for their lands and thus secure their friendship. Such individuals also may have been prosperous enough that they could be persuaded to sell only if the price was high enough to make the transaction worthwhile. This may have disadvantaged less dependent tenants and further increased downwards mobility. Not only may certain low-status individuals have been pressurised to sell their land, but when they did so, they may have received a lower price than those of a higher status. This may have helped to increase socio-economic differentiation.

Also relevant is how those who had sold land supported themselves after the sale. Possibly, they bought land elsewhere with the payment they had received. They also might have continued to hold their land but as a lessee of the new landholder, again

⁶⁶ LAE ch. 7; LE ch. 10.

⁶⁷ LAE ch. 8; LE ch. 10.

⁶⁸ LAE ch. 46; LE ch. 50. See also the purchase of land at Weeting from Wulfflæd, the widow of Wulfstan of Dalham (LAE ch. 35; LE ch. 38).

promoting downwards social mobility. Osmund Hocere exchanged his land at Witchford for land at Cambridge held by Ely Abbey but the abbey would receive both properties after his death.⁶⁹

Related to this is the possibility that estates were restructured following acquisition by a new lord. Ælfwold of Mardleybury sold a hide at Stretham on the Isle of Ely to the abbey for twenty mancuses.⁷⁰ After the death of Edgar, Ælfwold attempted to reclaim the land on the basis that he had sold it under duress. The abbot of Ely countered this claim by stating that Ælfwold's wife and sons had been *innati* on the abbey's land at Hatfield, and that the land at Stretham had been sold so that Ælfwold might have them free from claim. According to Pelteret, *innati* most probably translates the Old English *inbyrde*, which might mean 'those having legal ties with an estate through their birth there'.⁷¹ This term occurs in conjunction with *gebur* in a list of peasant tenants at Hatfield.⁷² The wife and sons of Ælfwold may have been *geburas*, therefore. However, if Ælfwold held at least one hide at Stretham, as well as presumably some land in Mardleybury (which is close to Hatfield), he would have been a prosperous individual. It is far more likely, therefore, that Ælfwold was a sokeman than a *gebur*. Yet it is difficult to explain why such an individual should have married a woman tied to an estate whose freedom had to be paid for. Although marriages between villeins and free tenants occurred in the post-Conquest period, this was because the practical, economic conditions of some free tenants were little different from those of some villeins.⁷³ Ælfwold of Mardleybury was a prosperous landholder probably significantly superior in social and economic condition to the *gebur* described in the *Rectitudines*, however. An explanation for this case may be found in two documents where individuals prove their independent status after having been claimed, respectively, as dependent peasants tied to

⁶⁹ LAE ch. 16; LE ch. 12.

⁷⁰ LAE ch. 8; LE ch. 10.

⁷¹ Pelteret, 'Two Lists of Serfs', p. 488.

⁷² Ed. and trans. in Pelteret, 'Two Lists of Serfs', pp. 472-4 (S 1481e).

⁷³ For example, Hyams, *King, Lords and Peasants*, pp. 175-82.

their tenancy and as slaves.⁷⁴ In one document, the individual defending his independence is required to make a payment to guarantee this status. This may have been the situation in the case of Ælfwold. His wife may have been a freewoman claimed as a dependent tenant by Ely, perhaps following the abbey's acquisition of Hatfield from Edgar.⁷⁵ This might explain the significant compensation that Ælfwold received from Ely following the later dispute. He received forty shillings (480 pennies), which amounted to more than half the original payment of twenty mancuses (600 pennies). If the above discussion is correct, the independent status of freemen and sokemen clearly was not guaranteed, and might depend significantly on economic circumstances and on the strength of lordship.

If changes of lordship could affect the situation of less dependent tenants, it is important that, according to the *Libellus*, some villages saw significant changes in their patterns of landholding from the late tenth to the late eleventh century as a result of successive land transactions. This is best illustrated by the case of Chippenham, in east Cambridgeshire. Table 2.3 reconstructs the pattern of landholding in the village at different points in time from the *Libellus* and from the Domesday record. From transactions recorded in the *Libellus*, it is possible to reconstruct who the landholders in the village may have been and how much land they held. Domesday Book provides the total land area of the village. As the *Libellus* only records land that was being bought and sold, it provides only a partial picture of the pattern of landholding in the village, and one can only assume that land recorded in Domesday Book, but not accounted for in the *Libellus*, was held by 'other' landholders. Each point in Table 2.3 represents a point in time when the pattern of landholding changed as a result of a land transaction recorded in the *Libellus* (with the exception of the final point, which represents the situation recorded for 1066 in Domesday Book).

⁷⁴ EHD, I, nos. 144 and 147.

⁷⁵ LAE ch. 5; LE ch. 7.

Landholder	Land Held
<i>Point A - probably c. 970</i>	
The wife of Ælfwold <i>Grossus</i> (a thegn commended to the ealdorman's brother)	1 hide 24 acres
Ulf	75 acres
Leofsige of Freckenham	80 acres
Ælfric of Witcham	20 acres
Wulfhelm	10 acres
Others including the sons of Earl Hereric	7 hides 32 acres
<i>Point B- between 970 and 975</i>	
The wife of Ælfwold <i>Grossus</i>	1 hide 24 acres
Ulf	75 acres
Wine	110 acres
Others/sons of Hereric	7 hides 32 acres
<i>Point C – c.975</i>	
Ely	3 hides
Wine	110 acres
Others/sons of Hereric	6 hides 80 acres
<i>Point D – c. 975, shortly after point C</i>	
Sons of Hereric	3 hides
Wine	110 acres
Others/sons of Hereric	6 hides 80 acres
<i>1066</i>	
Ordgar the sheriff from the king	5 hides
Ordgar the sheriff	3 hides

2 sokemen of the king	2 hides
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Table 2.3: The changing pattern of landholding in Chippenham, Cambridgeshire.

Between point A and point B, the number of recorded landholders in the village decreased from six to four following the purchases made by Wine, who, as discussed above, may have been a less dependent tenant. Between point C and point D, this number decreased again from three to two, as the sons of Hereric acquired more land in the village. By 1066, the entire village was in the hands of just three landholders. The lordship of the land originally held by the wife of Ælfwold changed hands three times (apparently in rapid succession), whilst the apparent size of this estate changed from just over one hide to three hides between point B and point C. It would be interesting to know what impact such changes had upon the rights and obligations owed by the peasantry who held this land. The accumulation of land by Wine may have been at the expense of smaller landholders, and may indicate that the social structure of the village become more hierarchical and differentiated during the late tenth century. It may be possible to see the holding collected together by Wine in one of the two hides held by the king's sokemen in 1066. The expansion in the size of the holding of the sons of Hereric and the departure of Ælfwold, also probably a thegn, from the village also may have had an impact on the hierarchy of the village by reducing the number of lords who held land there. It will be shown in Chapter Five that villages in Cambridgeshire where fewer lords held land tended to have a more dependent peasant population. In any case, the village had been consolidated into the hands of just four landholders by 1066.

The socio- political role of less dependent tenants

The *Libellus* contains considerable information about the social and legal organisation of tenth-century East Anglia. This section begins by identifying certain individuals, who, because of the high-status services they performed, may have been less dependent tenants. These obligations then can be placed in their socio-political context. The role that less dependent tenants might have played in the local courts is also considered.

High-status obligations

The *Libellus* records individuals acting as messengers or couriers. When Siferth of Downham bequeathed land to Ely, he sent a messenger, Brihthelm, to the ealdorman Æthelwine with one part of the chirograph on which his will had been written to ensure that the ealdorman would support its terms.⁷⁶ This may be an example of what high-status services such as those owed by the *geneat* involved in practice. Siferth himself may have been a local thegn. The area of land he bequeathed (a total of four hides) was relatively small and he sent his will only to the ealdorman for confirmation, whereas another testator, Eadric the Long of Essex, sent a chirograph of his will to the king.⁷⁷ It is likely, therefore, that many of the men commended to Siferth were non-noble freemen and it is probable that Brihthelm was one of these commended men. Although kinsman

⁷⁶ LAE ch. 12; LE ch. 11.

⁷⁷ LAE ch. 28; LE ch. 27.

might also carry messages for their relatives, the author of the *Libellus* usually took care to indicate this and no such suggestion is made in the record of this example.

This example illustrates the time commitment that obligations performed by less dependent tenants could involve and, as suggested in Chapter One, underlines the fact that at least some of these individuals were unlikely to have been directly or continually involved in the cultivation of their land. It also reinforces the honourable nature of such obligations. At the time of the events described above, the ealdorman was staying at Ely, while Siferth was at Linden, around seventeen kilometres or ten miles away. According to average travelling times recorded for messengers of the king in the post-Conquest period, this may have been as much as three hours ride.⁷⁸ The ealdorman initially sent Brihthelm back to Linden with one of his own men (perhaps of the same social status as Brihthelm) in order to clarify Siferth's request. The two men then made another journey to and from Ely to convey the reply. If this is correct, the transmission of Siferth's message took perhaps twelve hours in travelling time alone, and probably took place over at least two days. The task that Brihthelm carried out was clearly responsible. It also brought him into contact with the ealdorman and his men, which must have brought certain social advantages. If the practice of sending one's own messenger back with the original messenger to transmit a reply was usual, a messenger also would have had the opportunity to spend long periods of time with men of different commendations. This, along with attendance at public courts (although it is probable that the public courts were open to all free men in this time period), may have allowed less dependent tenants to access the necessary information to be an active participant in the socio-political life of the region.

Another responsible service described in the *Libellus* involves the delivery of payments for land, frequently sent through a third party.⁷⁹ In only one case is it explicitly

⁷⁸ Hill, *King's Messengers*, p. 108.

⁷⁹ For example, LAE/LE chs. 14/11a; 45/34; 59/48.

stated that this third party was a kinsman.⁸⁰ These tasks often may have been carried out by commended men, possibly less dependent tenants. Wine of Witchford appears several times carrying out errands of this sort on behalf of Ely. On three occasions he delivered a payment to an individual who was either selling land to Ely, or receiving a payment as part of a settlement following a land dispute.⁸¹ Wine of Ely, the son of Osmund, almost certainly identical with Wine of Witchford, also delivered a money payment on behalf of the abbot.⁸² On a further occasion, Wine of Witchford took a message from the abbot of Ely to a participant in a land dispute.⁸³ He served as a witness twice, listed amongst the *meliores* of Ely.⁸⁴ There is nothing to suggest that Wine of Witchford was identical with the Wine who bought land at Chippenham. There are several separate individuals named Wine in the *Libellus* and Chippenham is not especially close to Witchford or Cambridge. Wine, son of Osmund, did, however exchange fifty-three acres with the abbot at Cambridge for sixty acres elsewhere.⁸⁵ The small area of land involved in this transaction, together with the fact that Wine is not mentioned in any other sources from the period makes it reasonable to suggest that he was a high ranking sokeman or freeman of the abbey. The payments delivered through Wine were worth, respectively, forty shillings, ten pounds, thirty shillings and one hundred shillings. These were considerable sums when land at Cambridge could be bought for sixteen pennies an acre, and when, according to prescribed compensation payments in VI Æthelstan, the price of an ox was just thirty pennies.⁸⁶ The position was clearly a responsible one. Wine is almost the only individual recorded carrying out such errands on behalf of Ely, and he possibly held an official position. Indeed, he may have been a reeve. The lease of land on the Isle of Ely

⁸⁰ LAE ch. 9; LE ch.19.

⁸¹ LAE/LE chs. 8/10; 10/11; 46/35.

⁸² LAE ch. 14; LE ch. 11a.

⁸³ LAE ch. 29; LE ch. 19.

⁸⁴ LAE/LE chs. 22/16; chs. 23/17.

⁸⁵ LAE ch. 32; LE ch. 21.

⁸⁶ For land prices see LAE ch. 31; LE ch. 20. For the price of an ox see VI Æthelstan cl. 6.2 (Liebermann, *Gesetze*, I, 173-83; EHD, I, no. 37).

to Grim, son of Wine (discussed above) may be relevant as the Wine in question may have been Wine of Witchford. Wine's son may have been following his father into the service of the abbey.

The reeve Leofwine also is recorded twice delivering payments on behalf of the abbey.⁸⁷ Leofwine may be identical with the provost Leo described in the *Liber Eliensis*.⁸⁸ Leo was placed in charge of external affairs by the abbot, and his duties included the administration of the monastery. It is difficult to assess the social status of Leofwine/Leo since, as a monk, his obligations may not have corresponded with status in the same way as in lay society. He also was working on behalf of an unusually powerful landholder, meaning that his responsibilities may have been much greater than those usually held by an administrator. Leofwine's obligations may reflect those carried out on a smaller scale on lay estates by members of the higher peasantry, however. Certainly it would appear that Leofwine was of a higher status than Wine of Witchford. On two occasions, Leofwine and Wine delivered money payments together.⁸⁹ These were the two payments of the highest value and in both cases Leofwine's name is listed before Wine's in the account of events.

A final example of individuals acting as couriers is provided by the land transaction involving the two sisters at Stretham discussed above.⁹⁰ Only one of the sisters came to Cambridge to receive payment for the land. The other sister sent her young son (*puerulus*) in her place in the care of unnamed individuals described only as the 'bringers of the boy' (*latores pueri*). These individuals may have been less dependent tenants. They, rather than the boy, received the money (the payment was made in silver) then took it back 'with the boy to his mother'.⁹¹ This case is important because it shows high-status servants representing their lady in a land transaction and

⁸⁷ LAE/LE chs. 10/11; chs. 14/11a.

⁸⁸ LE ch. 54. See Fairweather, *Liber Eliensis*, p. 149, n. 249; Blake, *Liber Eliensis*, p. 123, n. 3.

⁸⁹ LAE/LE chs. 10/11; chs. 46/35.

⁹⁰ LAE ch. 7; LE ch. 10.

⁹¹ '*cum puero pecuniam tulerunt matri eius.*'

taking responsibility for the payment received. The symbolic presence of the boy, on the other hand, suggests some limit to the representation that could be made by commended men.

The transfer of land and the resolution of disputes described in the *Libellus* depended upon the conveyance of messages, the use of couriers to transfer payments made for land, and, on occasion the availability of people to represent a lord in his or her absence. It appears that many of these functions were performed by less dependent tenants, a group that performed a vital serviential function at the local level.

Local courts and local knowledge

The transactions and disputes described in the *Libellus* took place in several different places, but most commonly they are recorded at Cambridge (38%), or in front of the hundred where the land was situated (26%). Commended men, many of whom may have been less dependent tenants, may have provided important support to their lords during disputes. It was suggested earlier in this chapter that the need for commended men holding land around Cambridge may have contributed to the higher land prices in this area. Wine of Witchford certainly acted as a witness on occasion and during a dispute concerning land at Bluntisham in Huntingdonshire, the thegn Wulfnoth was able to call, apparently, on the oath of one thousand loyal men.⁹²

The very local nature of support may be relevant. When meeting with the abbot to buy land at Chippenham, the wife of Ælfwold *Grossus* brought with her several individuals, many of whom can be identified with villages in the locality of

⁹² LAE ch. 35; LE ch. 25.

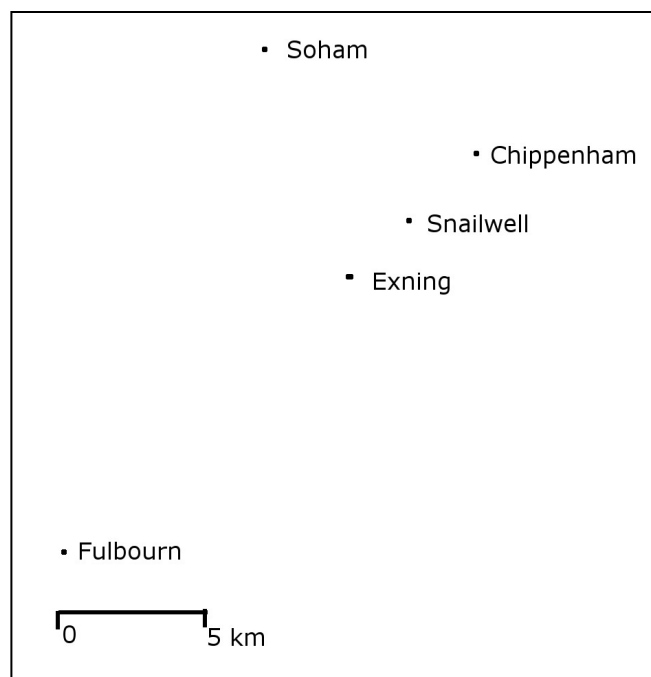
Chippenham.⁹³ Those who came with her and their connections to Chippenham are detailed in Table 2.4 and Map 2.5. Almost all of the places where they may have held land were within two hours ride of Chippenham, and they probably had considerable local knowledge. This may have been particularly useful in this case since the transaction was disputed, and as part of this, representatives from the two parties (the wife of Ælfwold and the abbot) were required to measure the land being sold. Indeed, the abbot, who may not have been familiar with the village, consulted the leading men and elders of the village before deciding what course of action to take. The status of the individuals listed in Table 2.4 is unclear, but some of them may have been less dependent tenants. The elders and leading men of the village certainly must have been.

⁹³ LAE ch. 14; LE ch. 11a.

Individual	Connection with Chippenham
Othulf of Exning	Exning is 7 km (4 miles) from Chippenham
Sigemund and his nephew Tucca	?
Æthelweard	?
Osbern of Soham	Soham is 9 km (5 miles) from Chippenham
Ælfstan of Fulbourne	Fulbourne is 21 km (13 miles) from Chippenham
Priest Æthelstan and his brother Bonda	Bonda held land in Snailwell, 3 km (less than 2 miles) from Chippenham ⁹⁴
Wulfhelm	Possibly Wulfhelm the brother of Wulfwine. He had sold land at Chippenham to Wine, but still may have held land in the village.
The leading men of the village	

Table 2.4: The connections between individuals involved in the sale of land at Chippenham and that village.

⁹⁴ LAE ch. 43; LE ch. 33.



Map 2.5: Villages where individuals involved in the sale of land at Chippenham held land.

Discussion

There were significant numbers of less dependent tenants in Cambridgeshire in the late tenth century. The tenorial situation was complex, and the villages studied contained a multiplicity of holdings of a variety of different physical areas, held by individuals of differing statuses under differing tenorial conditions. The land market may have done much to change this, possibly in a relatively short period of time, as landholdings became increasingly consolidated and the numbers of individual landholders declined. This may have had two key effects upon less dependent tenants.

First, opportunities were provided for upward or downward social mobility. Second, changing patterns of landholding might have affected the strength and nature of lordship and, possibly, the tenorial conditions of less dependent tenants.

From an entirely different perspective, it has been possible to see how the high-status obligations discussed in Chapter One operated in practice. Less dependent tenants fulfilled an important socio-political role in late Anglo-Saxon Cambridgeshire. They performed vital services, particularly in the area of communications, which allowed the social-political life of the region to function. They also may have been an important force in the local courts.

This chapter has focused only on a small part of Cambridgeshire, however, and only on events that occurred within a limited timeframe. The following chapters will use the evidence of Domesday Book and post-Conquest sources to open out the investigation and to consider, albeit in less detail, the landholding and social position of less dependent tenants more broadly in East Anglia. Moreover, it will be possible to observe the effect that the tenorial changes discussed in this chapter had over time. Importantly, an analysis of where less dependent tenants held land in Cambridgeshire in 1066 will suggest the impact that the land market and other factors ultimately may have had on the region by the late eleventh century. The Domesday evidence is, however, notoriously difficult to interpret, and less dependent tenants in particular may have been under-represented in this source. Before the Domesday evidence for less dependent tenants can be analysed, therefore, it is necessary to consider the reliability with which they were recorded. This will be the focus of the next chapter.

The Domesday Evidence

Domesday Book provides detailed evidence for less dependent tenants just before and just after the Norman Conquest.¹ The problems with the Domesday evidence are well known and the evidence for less dependent tenants is particularly difficult to interpret.² Two issues can be identified. The first is terminological. Previous chapters have used out of necessity the term ‘less dependent tenants’ to describe freemen and sokemen and individuals of an apparently similar or equivalent status. The extent to which these different categories of individual were truly comparable is, however, unclear. While sokemen were recorded in Domesday Book almost uniquely in East Anglia and the northern Danelaw, other Domesday categories of less dependent tenant, for example the *radcnihtas*, appear only in ‘English’ England. It is necessary to consider how far this distribution resulted from the use of terminology in Domesday Book, and

¹ References to the text of *Domesday Book* are to the two volumes issued by the Record Commission and edited by A. Farley in 1783, now accessible with a translation in a series of volumes under the general editorship of J. Morris (*Domesday Book*, ed. Morris). Translations have been cited from the series of volumes published by Alecto (*Domesday Book*).

² For an introduction to Domesday scholarship, see Bates, *Bibliography of Domesday Book*; Ellis, *Introduction to Domesday Book*; King, ‘Domesday Studies’; Loyn, ‘Domesday Book’; Kapelle, ‘Domesday Book’; Harvey, ‘Recent Domesday Studies’; Hallam, ‘Current Domesday Research Trends’; Roffe, *Decoding Domesday*. Important volumes include Hallam and Bates, *Domesday Book*; Holt, *Domesday Studies*; Sawyer, *Domesday Book: a Reassessment*; Williams, *Domesday Book Studies*.

how far it was the result of genuine regional differences in the position of less dependent tenants.

The second issue involves the potential under-recording of less dependent tenants in Domesday Book, discussed by a number of commentators.³ Although less dependent tenants appear in most Domesday counties, only the freemen and sokemen of the eastern counties are recorded in significant numbers. There were 5,410 sokemen and 5,227 freemen recorded in Norfolk in 1086, but only 23 *radcnihtas* and 15 freemen recorded in Herefordshire for the same period.⁴ It is unclear if this reflects true regional difference, or if less dependent tenants simply were under-recorded outside East Anglia and the northern Danelaw. Even within the eastern counties, less dependent tenants may not have been recorded consistently, and there are important differences in number from county to county. Whereas significant numbers of sokemen were recorded in Cambridgeshire, very few appear in adjacent Huntingdonshire.

This chapter investigates how less dependent tenants were recorded in Domesday Book, in an attempt to discover how far regional differences in terminology and number were a reflection of the record rather than of reality. No attempt is made, however, to compare the social structure of the eastern counties with that of 'English' England, as this will be the subject of Chapter Seven. The focus at this stage is upon the record. This chapter begins with a discussion of the difficulties associated with the Domesday evidence in general. It then focuses on less dependent tenants in particular, considering first the use of differing terminologies, and second, possibilities for under-recording.

³ See, for example: Bridbury, *English Economy*, pp. 108-9; Hadley, *Northern Danelaw*, p. 182; Roffe, 'Domesday Book and Northern Society', pp. 331-5; Walmsley, 'Censarii of Burton Abbey'; Baring, 'Domesday Book and the Burton Cartulary'. See also Roffe, 'Introduction', in *Derbyshire Domesday*, p. 8 and Roffe, 'Introduction', in *Lincolnshire Domesday*, pp. 19-20. For under-recording of the Domesday population in general, see Moore, '“Quot Homines?” The Population of Domesday England'; Baxter, 'Representation of Lordship'.

⁴ Figures taken from Darby, *Domesday Geography*, pp. 338-43.

General difficulties

The Domesday evidence presents well known difficulties.⁵ It is possible to summarise only the most important here. This section begins with the historiography surrounding the purpose of Domesday Book, before considering the accuracy and reliability of the data itself, and finally, difficulties involved in the interpretation of the data.

Until the 1960s, Domesday Book was widely considered to be a geld book, an interpretation largely based on J.H. Round's analysis.⁶ Round's hypothesis later was rejected by Galbraith, who insisted that Domesday was a feudal register of landholding.⁷ Harvey however, has combined the two interpretations to suggest that Domesday was concerned with landholding and the allocation of the geld.⁸ Holt has put forward a further interpretation.⁹ He has suggested that Domesday Book was compiled for political reasons to confirm the rights and obligations of William's tenants-in-chief. The intention behind Domesday Book affects the way in which its evidence is interpreted, and this issue is returned to later in this chapter.

The validity of the data also has been questioned.¹⁰ It has been suggested, for example by Baxter, that the division of the country into six 'circuits' for the purposes of data collection may have led to variation between circuits both in the kind of information that was collected and the way in which the data were presented in the final manuscript.¹¹ The formulae used to describe tenorial relationships are particularly

⁵ See works cited at p. 99, n. 2, above.

⁶ Round, *Feudal England*.

⁷ Galbraith, *Making of Domesday Book*. See also Loyn, 'Domesday Book'.

⁸ Harvey, 'Recent Domesday Studies'. See also Frearson, 'Domesday Book'.

⁹ Holt, '1086'. See also Higham, 'Domesday Survey'.

¹⁰ For a general survey of the problems with the Domesday data, see Darby, 'Domesday Book and the Geographer'.

variable. Variation between circuits may have resulted from the different ways in which individual Domesday commissioners interpreted their brief. Recording and compilation practices also may have been adapted according to need. Bailey has suggested that the detailed nature of the survey for Suffolk results from the unusually complex relationships of tenure and commendation in that county.¹² Roffe has postulated that the compiler of Domesday Book adapted his method as he worked, through increasing experience and because of the different evidence that he encountered.¹³ Inconsistencies between circuits may explain inconsistencies and omissions in the recording of less dependent tenants, and this is discussed in the following sections.

The data that was collected may have been open to misrepresentation. Baxter has suggested that lords may have manipulated in their own favour the returns they made to the commissioners, for example by over-emphasising the bonds between themselves and their tenants in order to ensure the latter's continuing loyalty.¹⁴ This is particularly clear in the case of the bishopric of Worcester and the abbey of Bury St Edmunds.¹⁵ Fleming has shown that some Domesday jurors were encouraged by their lords to lie on their behalf.¹⁶

The Domesday commissioners probably were concerned only with collecting the evidence most useful to the inquest, which may particularly have affected how pre-Conquest tenants were recorded.¹⁷ It was more important to justify the situation that had arisen by 1086, recording the information best suited to this purpose, than to represent accurately the pre-Conquest situation. Pre-Conquest tenants are indeed represented differently from circuit to circuit, and in certain cases are not recorded at all. Similar

¹¹ Stephenson, 'Composition and Interpretation of Domesday Book'; Baxter, *Earls of Mercia*, pp. 213-69; Baxter, 'Representation of Lordship', pp. 74-80.

¹² Bailey, 'Introduction', in *Little Domesday Book: Suffolk*, p. 14.

¹³ Roffe, 'Domesday Book and Northern Society'.

¹⁴ Baxter, 'Representation of Lordship'.

¹⁵ Baxter, 'Representation of Lordship', pp. 81ff; Baxter, 'Lordship and Justice', pp. 115-17.

¹⁶ Fleming, 'Oral Testimony'. See also Baxter, 'Representation of Lordship'.

¹⁷ Hyams, 'No Register of Title'.

views were expressed by Roffe, who argued that Domesday Book was produced some time after the inquest itself, meaning that it did not reflect what the situation actually was in 1086, but rather what those who produced the book wanted it to be.¹⁸ Roffe's ideas have not, however, been widely accepted.¹⁹ The under-recording of less dependent tenants also may be a reflection of the particular priorities of the inquest.

Finally, other, more general, errors may have entered Domesday Book because of the speed with which the evidence was collected and compiled, and because of the difficulties faced by French speakers trying to read English records and to interpret English terminology and provide Latin equivalents.²⁰ The rapidity with which the survey might have been completed has been emphasised by Holt, in whose view the inquest began after the Christmas festival at the end of 1085 and was finished (including the compilation of Domesday Book itself) by 1st August 1086.²¹ This was a period of only seven months which included the worst part of the winter. This is not the only possible interpretation – as discussed above, Roffe has suggested that Domesday Book itself may have been completed as late as 1088 – but the task was great enough that some time pressure is likely to have been involved, whatever the chronology.²² Speed may account for omissions and inconsistencies. The potential for linguistic confusion is indicated by John Blair's analysis of estate memoranda of c.1070 for Dorchester on Thames (admittedly somewhat earlier than Domesday Book).²³ The author of these documents invented 'non-standard' Latin versions of English terms, for example, *carrucata* rather than *hida* for 'hides', suggesting unfamiliarity with the conditions he was describing. Linguistic confusion may lie behind some of the differences in terminology used to describe less dependent tenants.

¹⁸ Roffe, *Inquest and the Book*; Roffe, 'Inquest and the Book'.

¹⁹ Holt, 'Domesday Studies 2000', pp. 23-4.

²⁰ Dodgson, 'Place-names and Personal Names', pp. 122-4.

²¹ Holt, '1086', pp. 43-7.

²² Roffe, *Inquest and the Book*; Roffe, 'Inquest and the Book'. See also Frearson, 'Domesday Book', pp. 378-9.

²³ Blair, 'Estate Memoranda', pp. 120-2.

The precise meaning of some of the Domesday data can be difficult to discern. Particular problems have been noted concerning manorial values, ploughs and ploughlands. The first of these is covered in Chapter Five.²⁴ The second is important to one argument in favour of the under-recording of less dependent tenants, and is discussed later in this chapter.²⁵

Domesday terminology

Whilst freemen and sokemen were recorded primarily in the eastern counties of England, other categories who appear also to have been less dependent tenants were recorded elsewhere. These include the *radcnihtas* of the western counties, the drengs of Lancashire, unnamed thegns, and the *alldarii* of Hampshire and Sussex. Similarities between these individuals and the sokemen and freemen have been discussed by a number of commentators.²⁶ A comparison of some of these groups is made in Chapter Seven.²⁷ At this stage, however, it is considered only how far different terminology may be explained by different recording practices. Table 3.1 shows the distribution by county and by Domesday circuit (see Map 3.1) of different categories of less dependent tenant, for both 1066 and 1086. The 1086 figures are those given by Darby in his *Domesday Geography*.²⁸ The 1066 figures were obtained from Domesday Book by this author. The figures given here may differ from those which would be obtained by another historian. In particular, where the same name appeared in villages in close proximity to one

²⁴ See Chapter Five, pp. 196-8.

²⁵ See pp. 120-2 below.

²⁶ Barrow, *Kingdom of the Scots*, ch. 1; Faith, *English Peasantry*, chs. 4-5 esp. pp. 121-5; Joy, 'Sokeright', pp. 288-99.

²⁷ Chapter Seven, pp. 266-8.

²⁸ Darby, *Domesday Geography*, pp. 338-43.

another it was assumed that these references were all to the same person, and only one individual was counted. Thegns were included only when unnamed, to exclude those who may have been of aristocratic origin.²⁹

The Domesday record for Suffolk frequently switches from the past to the present tense, for some manors apparently describing the conditions in 1066, and for others those in 1086. The way in which the record was written would suggest that this was because conditions in 1086 were usually the same as they had been in 1066, except in certain cases. The record frequently states, for example, that a certain number of freemen held a particular area of land in 1066, before giving the value of the land in 1066 and the new value of the land in 1086. It is probable that in such cases all that had changed between 1066 and 1086 was the land value; the number of freemen presumably had remained the same. In specific cases where the number of freemen or sokemen had changed by 1086, this usually is noted. Typical phraseology might include, for example; 'in 1066 there were x freemen, now there are y freemen', or 'x freemen were added to this manor in the time of King William'. When counting the number of freemen and sokemen in Suffolk in 1066, therefore, it was assumed that individuals present in 1086 were also present in 1066 unless otherwise stated. The numbers of freemen and sokemen in Norfolk and Essex in 1066 were not counted. This is because, as in Suffolk, the numbers present in these counties in 1066 appear to have been virtually identical to those present in 1086. This, combined with the long and detailed nature of the record for Norfolk and Essex as well as the fact that Norfolk and Essex are not discussed in detail in this dissertation, meant that to count all freemen and sokemen in these two counties for 1066 would have been unnecessarily time-consuming.

The numbers of freemen and sokemen recorded for 1066 in the northern Danelaw also were not counted. The omission of figures for the northern Danelaw appears justified since these counties are not central to the current analysis, which is

²⁹ See Chapter one, pp. 44-5 for the various meanings of the word 'thegn'.

mainly concerned with contrasts in recording practice between East Anglia and 'English' England.

County	Sokemen (no.)	Freemen (no.)	Radnihtas (no.)	Thegns (no.)	Drengs (no.)	Allodarii (no.)
Circuit I						
Hampshire 1066	0	90	2	10	0	15
<i>1086</i>	-	-	5	-	-	5
Berkshire 1066	0	92	0	10	0	0
<i>1086</i>	-	-	1	-	-	-
Surrey 1066	9	13	0	9	0	0
<i>1086</i>	-	-	-	-	-	-
Sussex 1066	0	133	0	13	0	16
<i>1086</i>	-	-	-	-	-	-
Kent 1066	77	7	0	10	0	0
<i>1086</i>	44	2	-	-	-	-
Subtotal 1066	86	335	2	52	0	31
<i>1086</i>	<i>44</i>	<i>2</i>	<i>6</i>	-	-	<i>5</i>
Circuit II						
Cornwall	0	0	0	21	0	0

1066						
<i>1086</i>	-	-	-	-	-	-
Devon 1066	0	6	0	157	0	0
<i>1086</i>	-	-	-	-	-	-
Somerset 1066	0	1	0	185	0	0
<i>1086</i>	-	-	-	<i>1</i>	-	-
Dorset 1066	0	7	0	63	0	0
<i>1086</i>	-	-	-	-	-	-
Wiltshire 1066	0	0	0	144	0	0
<i>1086</i>	-	-	-	-	-	-
Subtotal 1066	0	14	0	570	0	0
<i>1086</i>	-	-	-	<i>1</i>	-	-
Circuit III						
Bucks 1066	29	0	0	107	0	0
<i>1086</i>	<i>20</i>	-	-	-	-	-
Bedfordshire 1066	648	0	0	48	0	0
<i>1086</i>	<i>107</i>	-	-	-	-	-
Hertfordshire 1066	207	0	0	11	0	0

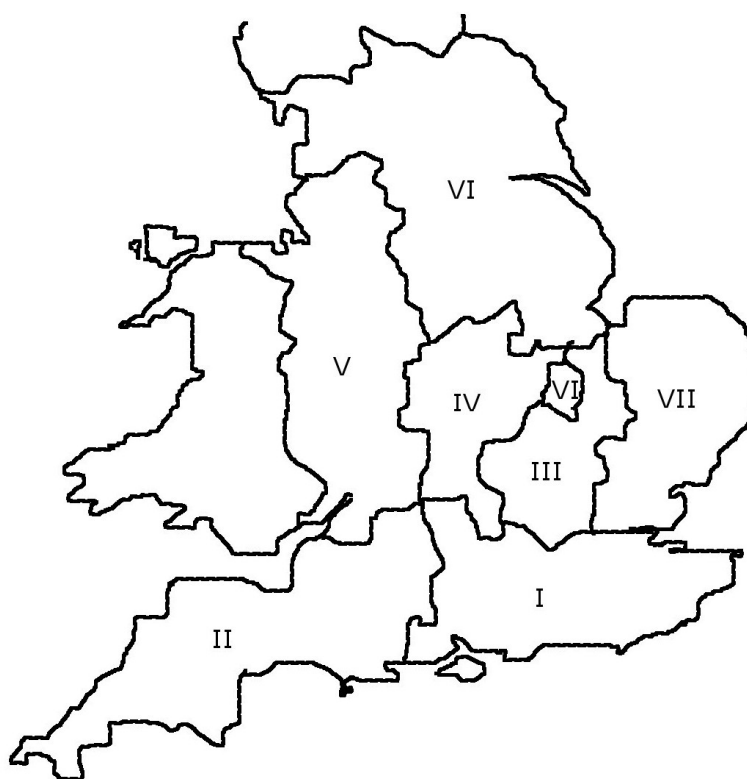
<i>1086</i>	<i>43</i>	<i>8</i>	-	-	-	-
Middlesex <i>1066</i>	<i>23</i>	<i>0</i>	<i>0</i>	<i>2</i>	<i>0</i>	<i>0</i>
<i>1086</i>	-	-	-	-	-	-
Cambs <i>1066</i>	<i>836</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>
<i>1086</i>	<i>177</i>	-	-	-	-	-
Subtotal 1066	1743	0	0	168	0	0
1086	347	8	-	-	-	-
Circuit IV						
Warwickshire <i>1066</i>	<i>0</i>	<i>27</i>	<i>0</i>	<i>30</i>	<i>0</i>	<i>0</i>
<i>1086</i>	-	<i>19</i>	-	-	-	-
Leicstershire <i>1086</i>	<i>1,903</i>	<i>6</i>	-	-	-	-
Northants <i>1086</i>	<i>971</i>	<i>3</i>	-	-	-	-
Oxfordshire <i>1066</i>	<i>0</i>	<i>8</i>	<i>0</i>	<i>23</i>	<i>0</i>	<i>0</i>
<i>1086</i>	-	<i>26</i>	-	-	-	-
Subtotal 1086	2064	54	-	-	-	-

Circuit V						
Cheshire 1066	0	183	0	2	0	0
<i>1086</i>	-	-	<i>134</i>	-	-	-
Lancashire 1066	0	28	4	54	49	0
<i>1086</i>	-	-	9	3	6	-
Staffordshire 1066	0	62	0	51	0	0
<i>1086</i>	-	<i>16</i>	<i>4</i>	-	-	-
Shropshire 1066	0	100	1	18	0	0
<i>1086</i>	-	<i>20</i>	<i>174</i>	-	-	-
Herefordshire 1066	0	0	15	5	0	0
<i>1086</i>	-	<i>15</i>	<i>23</i>	-	-	-
Worcestershire 1066	0	27	13	0	0	0
<i>1086</i>	-	<i>3</i>	<i>40</i>	-	-	-
Glos 1066	0	3	10	0	0	0
<i>1086</i>	-	<i>21</i>	<i>126</i>	-	-	-
Subtotal 1066	0	403	43	130	49	0
<i>1086</i>	-	<i>75</i>	<i>510</i>	<i>3</i>	<i>6</i>	-

Circuit VI						
Yorkshire <i>1086</i>	<i>448</i>	<i>2</i>	-	-	-	-
Derbyshire <i>1086</i>	<i>128</i>	-	-	-	-	-
Notts <i>1086</i>	<i>1,704</i>	-	-	-	-	-
Lincolnshire <i>1086</i>	<i>10,882</i>	-	-	-	-	-
Rutland <i>1086</i>	<i>8</i>	-	-	-	-	-
Hunts <i>1066</i>	<i>10</i>	<i>0</i>	<i>0</i>	<i>15</i>	<i>0</i>	<i>0</i>
<i>1086</i>	<i>20</i>	-	---	-	-	-
Subtotal <i>1086</i>	<i>13190</i>	<i>2</i>	-	-	-	-
Circuit VII						
Norfolk <i>1086</i>	<i>5,410</i>	<i>5,227</i>	-	-	-	-
Suffolk <i>1066</i>	<i>700</i>	<i>7,359</i>	-	-	-	-
<i>1086</i>	<i>859</i>	<i>7,753</i>				
Essex <i>1086</i>	<i>600</i>	<i>432</i>	-	-	-	-
Subtotal	<i>6869</i>	<i>13412</i>	-	-	-	-

1086						
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Table 3.1: The distribution of different categories of less dependent tenant in Domesday Book, by county and by circuit, for 1066 and 1086.



*Map 3.1: The Domesday circuits*³⁰

³⁰ After Darby, *Domesday Geography*, p. 7, fig. 1.

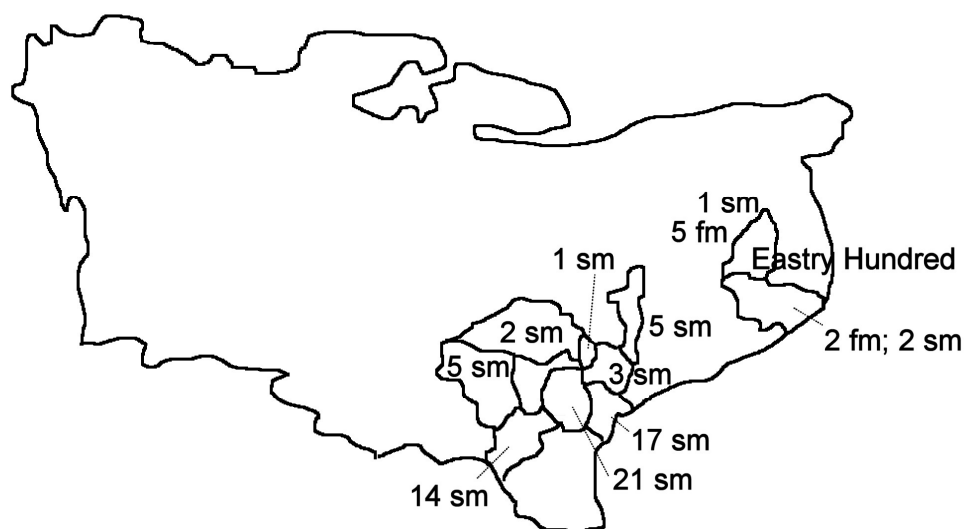
Table 3.1 suggests that the terminology describing less dependent tenants varied according to circuit. Sokemen were recorded mainly in circuits three, four, six and seven; a small number were recorded in circuit one. *Radnihtas* were recorded almost exclusively in circuit five. Drengs were recorded only in circuit five and *allogarii* only in circuit one. Freeman and thegns were recorded in all circuits, although in differing numbers. This suggestion may be misleading, however. The Domesday circuits were discrete groups of counties geographically adjacent to one another, so terminological variation between circuits could just as easily reflect existing regional difference - in dialect, social conditions, or both. This possibility is further suggested by the arrangement of differing terminologies within circuits. In circuit one, sokemen were found only in Surrey and Kent. These counties border circuits three and seven where sokemen were recorded in significant numbers. The sokemen in Surrey in particular were holding land in Streatham and Wandsworth, both in the north of the county and especially close to Middlesex.³¹ The sokemen recorded in Kent may be slightly different, and this is discussed below. In circuit three, thegns were recorded only in Buckinghamshire, Bedfordshire and Hertfordshire, those counties closest to circuits four and five where thegns were widely recorded. In circuit four, sokemen were recorded in Leicestershire and Northamptonshire, but not in the more western Warwickshire and Oxfordshire, where thegns were recorded instead.

If one postpones a discussion of real social differences to Chapter Seven, how far can this pattern be attributed to regional variation in terminology? There were few sokemen in Kent, clustered primarily in the south and east of the county (see Map 3.2). Yet it is thought that many Kentish peasants were holding in gavelkind at the time of the Conquest, a tenure that bore many similarities to the conditions associated with less dependent tenants in the pre-Conquest period.³² There should have been peasants similar

³¹ DB, I, 34r and 35v.

³² Gavelkind tenure is discussed in more detail in Chapter Seven, pp. 261-2.

in character to sokemen throughout Kent, therefore. The Domesday record for Kent may be explained, however, by the circumstances under which the evidence was collected. Most of the sokemen recorded in Kent (forty-six out of the fifty-eight recorded in 1066, and all forty-four recorded in 1086) were in the fief of Hugh de Montfort, who had substantial holdings in Norfolk.³³ Officials more familiar with his Norfolk lands, where considerable numbers of sokemen were recorded, may have assisted the Domesday commissioners with the inquest into his holdings in Kent. It is possible that tenants in gavelkind were, in Kent, most commonly recorded as *villani*. On the lands of Hugh de Montford, however, these less dependent tenants, looking very much like the individuals known in East Anglia as ‘sokemen’ may have been recorded by East Anglian officials using terminology appropriate to their own region



Map 3.2: The distribution of Domesday freemen (fm) and sokemen (sm) in Kent, by hundred.

³³ DB, I, 13r -14r.

The term ‘sokeman’ in the 1053*1066 writ granting land at Eversley, Hampshire (discussed in Chapter One) might be explained similarly.³⁴ Bishop Stigand of Winchester, the beneficiary of the writ, had been bishop of the East Anglian see of Elmham and his personal wealth and power was concentrated in East Anglia in 1066.³⁵ An official of East Anglian origin may have been involved in the production of the writ and thus applied the term ‘sokeman’ to the individuals recorded.

It is possible to make two further observations. First, the term ‘sokeman’ is used in Domesday Book throughout the eastern counties, in the northern Danelaw and in East Anglia. Yet, as discussed in Chapter Seven, there were in reality some important differences between these two regions. The use of the term ‘sokeman’ may reflect common terminology more than it does common conditions. Second, the only term common to most counties is ‘freeman’ - perhaps the most generic of all the different ways of describing a less dependent tenant. Regional variation in terminology may have been important, regardless of any real variation in social structure.

The circumstances of the inquest may have had a further impact upon the choice of terminology. In circuit one, an especially wide variety of terminology is used for less dependent tenants. Sokemen, freemen, thegns, *allodarii* and *radcnihtas* are recorded. Unlike most other circuits, circuit one covered several geographical regions from east to west. This may have caused confusion, and, coupled with the influence of officials more familiar with East Anglian conditions, may have contributed to the (possibly misleading) recording of sokemen in Kent. Equally, individuals in Sussex and Hampshire may have been classified as *allodarii*, a continental term not used in England prior to the Conquest, as a ‘convenient shorthand’ by those confused by the native terminology to

³⁴ See Chapter One, pp. 45-6.

³⁵ For Stigand, see, Cowdrey, ‘Stigand’.

describe land held freely and for non-military services.³⁶ It is also interesting that in circuit one several individuals were recorded for whom no particular terminology was used. In Hawley, Kent, there was a ‘man’ who belonged to no lord except the king and who did not belong to the manor there.³⁷ In Ash, also in Kent, there were two ‘men’ who could go where they wished without leave.³⁸

Under-recording

There are three ways in which less dependent tenants might have been under-recorded in Domesday Book. First, although the eastern counties are associated with large populations of freemen and sokemen, these individuals may have been under-recorded in certain of these counties. Second, less dependent tenants may have been under-recorded outside the eastern counties, in ‘English’ England. Although less dependent tenants were recorded in this region, they appear in smaller numbers than in eastern England. This is important because the shortage of less dependent tenants outside the eastern counties, together with the differences in Domesday terminology discussed above, is often cited as evidence that the social structure of the Danelaw was significantly ‘freer’ than elsewhere. Related to this is the fact that the record for Norfolk, Suffolk and Essex, where many less dependent tenants were recorded, is contained within the much more detailed folios of Little Domesday Book. This will be discussed in the final section of this chapter. Third, less dependent tenants may have been under-recorded in the Domesday record for 1086. Table 3.1 shows that in many counties significantly fewer less dependent tenants were recorded in 1086 than in 1066. It has

³⁶ See Chapter One, p. 47; Lavelle, “‘All the King’s Men?’”, p. 5.

³⁷ DB, I, 5v.

³⁸ DB, I, 5v.

been suggested that the status of many less dependent tenants was depressed following the Norman Conquest, but the impact of the record also should be considered.

This section begins with the possible under-recording of less dependent tenants. Two case studies are considered. The first concerns the under-recording in both 1066 and 1086 of less dependent tenants on the lands of Ramsey Abbey (mainly in Huntingdonshire) as suggested by comparison of the Domesday population of this estate with post-Conquest manorial surveys. While very few less dependent tenants were recorded in Domesday Book, numerous free tenants appear in later surveys. The situation on the lands of Ramsey Abbey is compared with that on the lands of Ely in Cambridgeshire, and that on the lands of Ely and Bury St Edmunds in Suffolk. Second, the possibility that less dependent tenants were under-recorded in 1086 is discussed, focusing on Cambridgeshire. The final part of this section asks why less dependent tenants might have been under-recorded in Domesday Book.

Comparing Domesday Book with the post-Conquest evidence

The comparison of the Domesday population of a given region with that recorded for the same region in post-Conquest surveys presents several difficulties. Where surveys from the common law period are used, the categorisation of individuals as free tenants and villeins may not correspond precisely to the Domesday categorisation of individuals into sokemen and freemen and *villani* and *bordarii*.³⁹ Some villages also

³⁹ On villeinage see Introduction; Miller and Hatcher, *Medieval England*, pp. 111-33; Hyams, *King, Lords and Peasants*; Vinogradoff, *Villainage in England*; Milsom, *Legal Framework of English Feudalism*; Pollock and Maitland, *History of English Law*, I, 356-83 and 412-32; Faith, *English Peasantry*, ch. 10.

may have experienced social and tenurial change between the time of Domesday and that of the later survey.

The first problem can be avoided if post-Conquest surveys are restricted to those of the earlier twelfth century. This cannot always be possible, however. An early survey of Ramsey Abbey covers the time of Henry I and that of Henry II, that is, much of the twelfth century.⁴⁰ However, the information in this survey is most useful when supplemented by a later survey (c.1250).⁴¹ The earliest surveys available for Ely Abbey date from the thirteenth century (1222 and 1251).⁴² The 1251 survey is used in this dissertation. Surveys from the common law period can still provide a guide to the situation at the time of Domesday, however. In particular, although some cases of villeinage were decided arbitrarily, this was not typically the case.⁴³ The ‘artificial’ way in which individuals sometimes were categorised according to the common law is unlikely to have caused significant change in the recorded social structures of entire villages between the eleventh and thirteenth centuries.⁴⁴ As discussed in Chapter Six, it is unclear whether the less dependent tenants recorded in thirteenth-century records include villein sokemen.⁴⁵ The presence of this group might affect a comparison of the total numbers of less dependent tenants recorded in certain villages in the pre- and post-Conquest period only insofar as it may have contained individuals from families who had been in a dependent position in the pre-Conquest period and whose status had been raised following the Conquest. The possibility and implications of this are discussed below.

⁴⁰ *Cartularium*, III, 241ff.

⁴¹ *Cartularium*. I, 281ff; II, 3ff.

⁴² London, British Library, MS Cotton, Tiberius B. ii (1222); Cambridge, University Library, Ely Diocesan Records, Old Coucher Book (1251); London, British Library, MS Cotton, Claudius C. xi (1251); Cambridge, Caius College, MS 485/489 (1251).

⁴³ Hyams *King, Lords and Peasants*, pp. 241-54.

⁴⁴ See Hyams, *King, Lords and Peasants*, p. 242; p. 249-50, esp. p. 249: ‘a large proportion of thirteenth-century villeins were from families who can never have hoped for freedom’.

⁴⁵ For villein sokemen see Introduction, pp. 11-12 and Chapter Six, pp. 205-7.

Genuine change between the time of Domesday and that of later surveys is more problematic. Assarting and changes in landlord policy meant that numbers of less dependent tenants in some villages increased between 1086 and the early thirteenth century. Not all of those classified as 'free' in the post-Conquest period therefore were descended from pre-Conquest less dependent tenants. Holdings on new assart, although small, almost always were rented per acre for a money rent, often because they were located so far from manorial centres that it was impossible for lords to impose labour services.⁴⁶ Assarting was carried out extensively on the Huntingdonshire manors of Ramsey and the Cambridgeshire manors of Ely.⁴⁷ There also was a tendency on some manors to create new lightly burdened, rent-paying holdings out of demesne or more heavily burdened land in the twelfth and thirteenth centuries, a move that was, according to Postan, linked to the contraction of some demesnes in this period.⁴⁸ This may have made 'free' tenants out of some members of the dependent peasantry. Faith has, however, qualified Postan's views to note that some demesnes (including some of those on the Ramsey and Ely estates) also were expanding in this period, and that in some cases labour services were increased.⁴⁹ Miller also noted that there is little direct evidence for the creation of new 'free' tenures.⁵⁰ It is difficult, therefore, to be exact about the precise numbers involved.

It is important to note that Domesday Book and later surveys record numbers of holdings rather than actual population. Partible inheritance and an active land market could serve to increase the number of holdings in a particular village over time. As both of these phenomena were especially associated with less dependent tenants it is possible

⁴⁶ Faith, *English Peasantry*, pp. 207-8; Miller, *Abbey and Bishopric*, pp. 119-21; Raftis, *Estates of Ramsey Abbey*, pp. 71-6; Hallam, 'Eastern England', p. 171; Raftis, 'The East Midlands', pp. 195-202.

⁴⁷ Miller, *Abbey and Bishopric*, pp. 95ff; Raftis, *Estates of Ramsey Abbey*, pp. 71-4.

⁴⁸ Miller, *Abbey and Bishopric*, pp. 121-6; Raftis, *Estates of Ramsey Abbey*, pp. 83-9; Faith, *English Peasantry*, p. 185; Postan, 'Chronology of Labour Services'.

⁴⁹ Faith, *English Peasantry*, pp. 186-91; Faith, 'Demesne Resources and Labour Rent'. See also Miller, *Abbey and Bishopric*, p. 101; Raftis, *Estates of Ramsey Abbey*, p. 65.

⁵⁰ Miller, *Abbey and Bishopric*, pp. 121-4.

that the number of ‘free’ holdings may have increased especially rapidly in comparison to more heavily burdened holdings over time. The percentage of recorded less dependent tenants in manorial populations may in some cases appear to have ‘increased’ more by the twelfth or thirteenth century than it actually had. Increased levels of fragmentation may also, of course, be responsible for some (although almost certainly not all) of the apparent differences in social structure between East Anglia and the rest of England. This is discussed in Chapter Seven.⁵¹

The factors discussed above are unlikely to have caused all recorded population change between the time of Domesday and that of later surveys, however. There may have been some increase in the number of less dependent tenants in some manors but this may not have been as dramatic as recorded. The near absence of recorded less dependent tenants in Domesday Huntingdonshire is especially suspicious. In particular, substantial less dependent tenants, including Alexander Monachus who held one hide at Upwood, held land in this county in the thirteenth century but not at the time of Domesday.⁵² It is difficult to understand how such an individual might have descended from a dependent peasant in the pre-Conquest period.

That less dependent tenants could have been under-recorded should not be surprising, moreover, given the already well-known difficulties with the Domesday evidence. Several other social groups, aside from less dependent tenants, may have been under-recorded. The Domesday distribution of slaves is remarkably uneven and may result partly from under-recording.⁵³ Other groups who might have been under-recorded in Domesday Book include urban populations and those holding manors as sub-tenants.⁵⁴

⁵¹ Chapter Seven, p. 288.

⁵² *Cartularium*, I, 340.

⁵³ Moore, ‘Domesday Slavery’, pp. 192-4.

⁵⁴ Moore, “‘Quot Homines?’”.

To consider now the evidence for Ramsey Abbey, only twenty-seven sokemen were recorded in the Domesday folios for Huntingdonshire, and only ten of these were on land held by Ramsey Abbey.⁵⁵ Surprisingly, these ten individuals all held land in the same manor, Broughton. Yet the two post-Conquest cartularies of this abbey examined record far greater numbers of less dependent tenants. In the twelfth-century survey, tenants holding their lands for rent with minimal or no labour services, who look very much like Domesday freemen and sokemen, were recorded on fourteen out of the eighteen Ramsey manors in Huntingdonshire. In Hemingford in the twelfth century, two individuals with the byname *liber homo* were recorded.⁵⁶ In the survey of c. 1250, eighty-eight free tenants were present on the twelve Huntingdonshire manors held by Ramsey Abbey, that is, on average, seven in each manor.

This evidence alone is suggestive. However, the under-recording of less dependent tenants may be investigated further by analysing the recording of ploughlands in Domesday Book for these manors. For this, Ramsey's Huntingdonshire manors were combined with those belonging to the same abbey in Cambridgeshire in order to obtain sufficient results. Each Domesday entry in Huntingdonshire and Cambridgeshire begins by stating that *terra est x carucis*, commonly translated as 'land for x ploughs'. This is interpreted as indicating the area of cultivatable land available. The quantity is expressed differently from county to county (*terra ad x carucas*, *terra x carucis*, *x caruca potest esse*) but the meaning is generally felt to always be the same.⁵⁷ In certain counties, such as Lincolnshire, the term *carucis terrae*, normally translated as 'ploughlands', is used. For convenience, the term ploughlands will be used here to mean 'land for x ploughs'. After the ploughlands, a typical entry lists the numbers of ploughs in demesne and on the land of the tenants. There is often a discrepancy between the number of ploughlands and the total number of ploughs on the demesne and tenant land; usually the number of

⁵⁵ See Chapter Six, p. 207 for the identification in manorial surveys of less dependent tenants.

⁵⁶ *Cartularium*, III, 241.

⁵⁷ Higham, 'Domesday Ploughlands', p. 41.

ploughlands is higher. Various explanations have been proposed. Harvey has suggested that the ploughlands were the basis for a new taxation system.⁵⁸ This has been rejected by Kapelle as an overly 'elaborate' explanation, however.⁵⁹ According to Higham, ploughlands were just that and differences with the total ploughs recorded suggest either that the land was not cultivated or that too many ploughs were available.⁶⁰ A subtly different explanation may be more likely. Bridbury suggested that the number of ploughs recorded for either the demesne or tenant land reflected labour that should have been performed on this land by tenants for the benefit of the lord.⁶¹ On the demesne this would have been in the form of labour services, and on the tenant land in the form of the cultivation necessary to pay food renders or rents. Discrepancies in the number of ploughlands reflected the fact that the customary services and renders were either too great or too little. According to Bridbury, these services and renders were due from the dependent peasantry, but it is just as possible that they were due from less dependent tenants. On the Cambridgeshire and Huntingdonshire lands of Ramsey Abbey, the number of ploughlands often exceeded the sum of the demesne and tenant ploughs. Interestingly, however, this phenomenon can be related to the peasant population of the same manors in the thirteenth century. The more 'extra' ploughlands an estate had, that is, ploughlands unaccounted for in the demesne or tenant ploughs, the higher the percentage of less dependent tenants in its thirteenth-century population was (see Graph 3.1). It is possible, therefore, that the 'extra' ploughlands reflect the ploughs of less dependent tenants not included in the final compilation of Domesday Book. A similar correlation was identified by Walmsley for the lands of Burton Abbey.⁶²

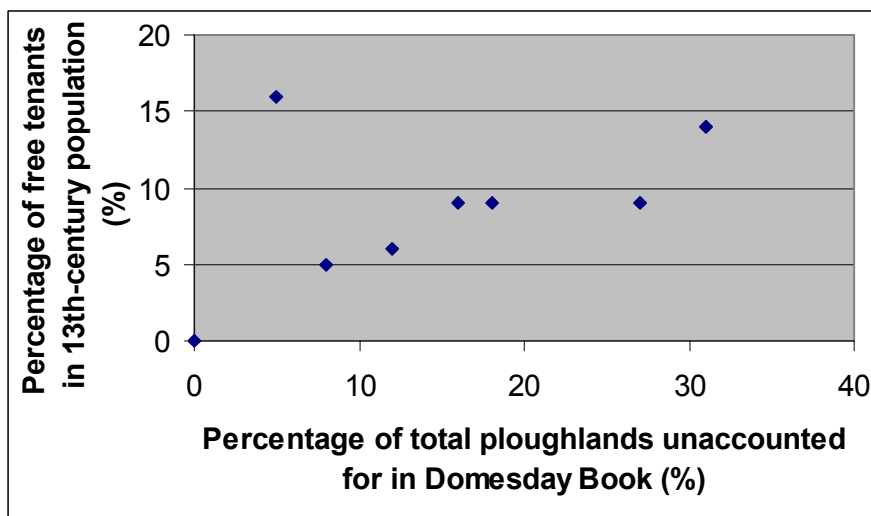
⁵⁸ Harvey, 'Taxation and the Ploughland'.

⁵⁹ Kapelle, 'Domesday Book', pp. 634-5.

⁶⁰ Higham, 'Domesday Ploughlands'.

⁶¹ Bridbury, *English Economy*, pp. 105-7.

⁶² Walmsley, 'Censarii of Burton Abbey'.



Graph 3.1: Relationship between the percentage of total ploughlands unaccounted for in villages held by Ramsey Abbey in Huntingdonshire and Cambridgeshire and the percentage of free tenants in the thirteenth-century populations of the same villages. The outlier on the graph represents the village of Warboys (Hunts). This village contained a number of very small less dependent tenants in the thirteenth century who all held shares in the same larger holding. These small free holdings might reasonably have been created post-Conquest, which might explain the high proportion of free tenants in the recorded thirteenth-century population of Warboys in comparison to the proportion of ploughlands unaccounted for there in Domesday Book.

Further evidence for unrecorded sokemen in Domesday Huntingdonshire may be provided by an entry in Domesday Book. This states that in Hurstingstone Hundred, the demesne ploughs were exempt from the geld but the *villani* and sokemen did pay geld, except in the manor of Broughton.⁶³ This is surprising since there were no sokemen recorded in Hurstingstone Hundred in Domesday Book, except for ten on the manor of

⁶³ DB, I, 203r.

Broughton. The implication of the Domesday entry described above, however, is that sokemen were a feature of the rural population in this hundred and distinct from the *villani*. Moreover, they clearly held land on manors in the hundred other than Broughton, otherwise there would have been no need to make an exception for this manor. In the pre-Conquest period, the sokemen at Broughton had held five hides of the land there independently, but following the Conquest, William had given this land and the soke over them to Ramsey.⁶⁴ This may explain why sokemen were recorded there, but nowhere else in the same hundred. Unrecorded individuals, possibly less dependent tenants, are also hinted at in the *Clamores* in the Huntingdonshire folios, which mention by name several small landholders in 1066 but who do not appear in the main text.⁶⁵ Beorhtmær Belehorne, for example, held reeveland in 1066.⁶⁶

The evidence for Ramsey Abbey can be compared usefully with that for the Cambridgeshire lands of Ely Abbey. In 1066, around 800 sokemen were recorded holding land in Cambridgeshire, and 115 of these were on the lands of Ely, that is on nineteen of the forty-seven Ely manors. Sokemen may nevertheless have been under-recorded in Cambridgeshire. The 1251 Ely survey records a greater proportion of free tenants in the average manorial population than does Domesday Book. Further evidence is provided by the particular way in which some sokemen were recorded in Cambridgeshire. As discussed in Chapter Four, less dependent tenants in Domesday Book could be recorded in one of three ways. They might be recorded either in the middle of a manorial entry, alongside the *villani* and *bordarii*; at the end of the entry, holding a separately valued area of land; or holding land that was completely detached from any manor, separately valued and usually with no demesne. These different recording practices may have reflected groups of differing social status. In Cambridgeshire, the majority of recorded sokemen fell into the latter group. Sokemen

⁶⁴ DB, I, 208r.

⁶⁵ DB, I, 208r-208v.

⁶⁶ DB, I, 208r. See also Wulfwine Cild (DB, I, 208r).

were recorded alongside the *villani* and *bordarii* only on twelve manors on the Isle of Ely, all of which were held entirely by Ely Abbey. It is unclear why this should have been the case. It may be, however, that Ely submitted returns to the Domesday inquest independently from the rest of the county as appears to have been the case for other important landholders.⁶⁷ That this may have been the case for Ely may be indicated further by the existence of the *Inquisitio Eliensis*, an independent record of Ely's Domesday properties. A different recording policy may have been used for Ely's properties than was used elsewhere in the county, therefore. Sokemen may have held land alongside the *villani* and *bordarii* not just on the lands of Ely Abbey, but elsewhere in Cambridgeshire as well, although they may not always have been recorded.

The relatively large number of sokemen that did make it into the folios of Domesday Book for Cambridgeshire, however, might lead one to suspect that fewer of these individuals were unrecorded there than in Huntingdonshire. In particular, the contrast between the percentage of free tenants recorded on the Cambridgeshire lands of Ely Abbey in the thirteenth century and the percentage of sokemen recorded on the same lands in Domesday Book is much less pronounced than that observed for the Huntingdonshire lands of Ramsey Abbey. On a sample of twelve Ely manors in Cambridgeshire recorded in Domesday Book, forty-four sokemen were recorded, forming on average 7.9 percent of the population of each manor.⁶⁸ In 1251, 152 free tenants were recorded on the same twelve manors, forming on average 20.8 percent of the population of each manor. The average percentage of less dependent tenants recorded in the populations of these Cambridgeshire manors in 1251 was therefore two and a half times that recorded in Domesday Book. On the twelve Ramsey manors in Huntingdonshire discussed earlier, sokemen formed on average 2.8 percent of the population of each manor according to Domesday Book, but on average 13 percent of

⁶⁷ Baxter, 'Representation of Lordship', pp. 81ff; Baxter, 'Lordship and Justice', pp. 415-17.

⁶⁸ Stretham, Doddington, Wimblington, Balsham, Gransden, Shelford, Thriplow, Hardwick, Downham, Wilburton, Linden, March, Wisbech.

the population of each manor according to the 1250 manorial survey. The average percentage of recorded free tenants in the population of each manor in 1250 was four and a half times that recorded at the time of Domesday, much more than on the Cambridgeshire lands of Ely Abbey. Moreover, these figures probably underestimate the contrast in recording practices between the two counties. While the Cambridgeshire sokemen were distributed evenly across the twelve manors sampled, the ten sokemen recorded on the Huntingdonshire lands of Ramsey Abbey at the time of Domesday were all holding in the same manor, Broughton. And, as discussed above, they may have been recorded there for a particular, unusual, reason. On the 113 manors not held by Ramsey in Huntingdonshire there were only seventeen more sokemen recorded. The presence of Broughton amongst the twelve manors held by Ramsey has thus skewed the data to give an inappropriately high average percentage of sokemen in the Domesday populations of these manors.

Differences in the Domesday populations of sokemen for Cambridgeshire and Huntingdonshire may reflect the nature of the record more than they reflect reality. Sokemen appear to have been under-recorded to some extent in both counties, but were most extensively under-recorded in Huntingdonshire. There are two interesting caveats to these observations, however. First, some of the Cambridgeshire manors investigated were located on the Isle of Ely and may, as a result of the purchases made by Bishop Æthelwold in the tenth century, have had genuinely low numbers of less dependent tenants at the time of Domesday. The location of these manors in the fenland would, on the other hand, have promoted some natural increase in numbers of less dependent tenants by the post-Conquest period due to assarting.⁶⁹ Second, although there may have been far more sokemen in Domesday Huntingdonshire than the twenty-seven recorded in Domesday Book, it is probable that there were, nevertheless, still more of these individuals in Cambridgeshire. As stated above, the post-Conquest survey for Ramsey's

⁶⁹ Miller, *Abbey and Bishopric*, p. 119.

properties in Huntingdonshire records that free tenants formed on average 13 percent of the manorial population, whereas on Ely's Cambridgeshire properties, this figure was 20.8 percent. These caveats highlight the difficulties involved in separating differences in recording practices from genuine social differences.

The above discussion has linked the particularly low numbers of less dependent tenants recorded in Huntingdonshire in Domesday Book with under-recording and has attempted to identify this by comparing the Domesday social structure of certain manors with that recorded in later manorial surveys. It would be useful, therefore, to compare the social structure of manors in Suffolk, where large numbers of less dependent tenants were recorded in Domesday Book, with later records. As illustrated by Table 3.3, numbers of less dependent tenants recorded on the lands of Bury St Edmunds in Suffolk according to the *Kalendar* of Abbot Samson (1186-1191) are broadly comparable to the numbers of less dependent tenants recorded in the same villages in Domesday Book.⁷⁰ The Bury *Kalendar* is concerned only with free tenants and does not record any other villagers, so it was not possible to consider less dependent tenants as a proportion of village populations in the late twelfth century.

Table 3.2 shows little change in the absolute numbers of less dependent tenants recorded for each village between 1086 and the late twelfth century. In Great Livermere eleven less dependent tenants were recorded in the *Kalendar*, and ten in Little Domesday. Where changes were more significant, these often involved a decrease in the number of less dependent tenants recorded over time. The total number of less dependent tenants recorded in the villages listed in Table 3.2 decreased by 206 individuals between 1086 and the late twelfth century. This change may be attributed to various causes including natural changes in the pattern of landholding in individual villages over time. In any case, the overall change (approximately thirty percent) is relatively small in comparison to the differences recorded in manorial populations in

⁷⁰ *Kalendar*. The *Kalendar* records tenants by village rather than by manor, see Chapter Six, p. 205.

Cambridgeshire and Huntingdonshire (where thirteenth-century percentages of less dependent tenants were, respectively, two and a half times and four and a half times the 1086 percentages), and may not be significant. It is possible to conclude, therefore, that less dependent tenants on some Bury manors in Suffolk may have been recorded relatively accurately in Domesday Book.

Village	Number of less dependent tenants recorded in Bury <i>Kalendar</i>	Number of less dependent tenants recorded in Domesday Book
Great Livermere	11	10
Ampton	9	22
Timworth	21	29
Fornham Saint Genvieve	9	6
Pakenham	42	31
Thorp	8	4
Thurston	33	36
Tostock	24	18
Hesset	25	60
Woolpit	29	40
Gedding	1	13
Felsham	1	25
Bradfield Saint George	8	3
Rougham	36	90
Great and Little Welnetham	7	41
Stanningfield	13	11

Rushbrooke	20	22
Fornham Saint Martin	19	11
Flempton	4	10
Risby	4	8
Westley	17	11
Hengrave	4	8
Fornham (Thingoe hundred)	4	5
Brockley	3	3
Manston	2	1
Rede	2	8
Whepstead	1	7
Hawstead	12	28
Nowton	7	10
Horringer	14	15
Stanton	57	67

Table 3.2: A comparison of the numbers of less dependent tenants recorded in some Suffolk villages according to the twelfth-century Bury Kalendar with the numbers of less dependent tenants recorded in the same villages in Domesday Book in 1086.

An investigation into the eight Suffolk manors of Ely Abbey recorded in the 1251 survey produced a different result, however.⁷¹ Here, less dependent tenants increased as a percentage of the recorded population between 1066 and 1251. In Domesday Book, twenty-two less dependent tenants were recorded, forming on average nine percent of the populations of those manors investigated. According to the 1251

⁷¹ Glemsford, Hartest, Rattlesden, Hitcham, Barking, Wetheringsett, Brandon (Coucher Book, ff. 137rff; 162rff; 166vff; 171vff; 177rff; 183rff; 189vff).

survey, however, there were 144 less dependent tenants on the same manors, forming on average twenty-eight percent of their recorded populations. This represents an increase in the proportion of recorded less dependent tenants of approximately three times. This is comparable to the situation on the lands of Ely in Cambridgeshire, but still much less than the increase of four and a half times noted on the Huntingdonshire lands of Ramsey Abbey. It is unclear if less dependent tenants were under-recorded on these manors in Suffolk. The recorded population change may have been the result of landlord policy, especially as the number of manors involved was rather small. In any case, it is notable that the most significant change in the proportions of less dependent tenants recorded in manorial populations was on the lands of Ramsey Abbey in Huntingdonshire, and the least on the lands of Bury in Suffolk. Those manors where, broadly, the least change was recorded also were those where the greatest number of less dependent tenants was recorded in Domesday Book, suggesting that under-recording may have played some part.

Under-recording for 1086

While around 800 sokemen were recorded in Cambridgeshire in 1066, only 176 were recorded for 1086.⁷² This, together with similar evidence from other counties, has been seen as evidence for the downgrading of less dependent tenants following the Norman Conquest.⁷³ In some cases this does appear to have been what happened. A famous example quoted by Maitland concerns Guy de Raimbeaucourt's manor at

⁷² All less dependent tenants in this county were recorded as sokemen, and it clear that this term also covers those that would have been recorded as freemen elsewhere.

⁷³ Faith, *English Peasantry*, pp. 215-8; Maitland, *Domesday Book and Beyond*, pp. 62-6; Darby, *Domesday Geography of Eastern England*; Hadley, *Northern Danelaw*, p. 192; Miller, *Abbey and Bishopric of Ely*, pp. 118-19.

Meldreth in Cambridgeshire.⁷⁴ The village was held by fifteen or sixteen sokemen in 1066, but in 1086, fifteen *bordarii* were recorded, together with three *cottarii* and a slave. Maitland argued that the fifteen *bordarii* represented the fifteen sokemen, and this may have been the case, although a coincidence of numbers should not be discounted. The precise number of sokemen in this village is also unclear. Domesday Book records that there were sixteen sokemen of which ten had two hides and half a virgate and five ‘other sokemen’ held one hide and half a virgate’. Maitland accepted that the total number was actually only fifteen not sixteen but one should not discount the possibility that the ‘other sokemen’ were in addition to the sixteen already listed and there were in fact twenty-one sokemen in total (sixteen, of which ten held two hides and half a virgate, and five more). Equally, a freeman in Benfleet, Essex, who had held half a hide of land in 1066 was in 1086 ‘now one of the *villani*’.⁷⁵ However, a reduction in the number of Cambridgeshire sokemen from around 800 to just 176 is significant. This would mean that seventy-eight percent – around three quarters - of the sokemen recorded in 1066 had been reduced to the status of *villani* or *bordarii* by 1086. Given what has already been suggested concerning the Domesday evidence, it is necessary to consider whether the 1086 sokemen actually were under-recorded.

Domesday Book does not record numbers of *villani* and *bordarii* in Cambridgeshire in 1066, so it is impossible to compare these figures with those for 1086 to see if they have increased by the number of missing sokemen. The 1086 situation may be studied in other ways, however. Sokemen were recorded in Balsham in 1066, but not in 1086, yet this manor had free tenants in its population in the thirteenth century.⁷⁶ Specific examples suggest the continued presence of sokemen on certain manors in 1086 although they were not recorded there in Domesday Book. Six sokemen held land in

⁷⁴ Maitland, *Domesday Book and Beyond*, p. 63; cited in Faith, *English Peasantry*, p. 216. DB, I, 199v.

⁷⁵ DB, II, 1v (Fleming, *Domesday Book and the Law*, no. 1795). A sokeman also lost his land at Libury, Hertfordshire (DB, I, 141r; Fleming, *Domesday Book and the Law*, no. 806; Wormald, ‘Domesday Lawsuits’, no. B. 6).

⁷⁶ DB, I, 190v. Coucher Book, ff. 65r-66r.

Orwell in 1066.⁷⁷ Following the Conquest, three were ‘lent’ by Picot to Earl Roger so that he could ‘hold his pleas’, but they later were seized, with their lands, by the earl’s men. This case was still under dispute as Domesday Book was being compiled. The sokemen, however, were recorded only in the past tense as the 1066 landholders, despite the fact that they evidently were still present on the land at the time of the dispute in 1086. At Swaffham Bulbeck, Domesday Book records four sokemen in 1066, one of whom was, according to the *Inquisitio Comitatus Cantabrigiensis*, named Huscarl.⁷⁸ No sokemen were recorded in Swaffham Bulbeck in 1086. However, an individual named Huscarl of Swaffham, surely the same man, was recorded as a juror in 1086.⁷⁹ Lewis has identified a number of Domesday jurors with sokemen recorded in 1066 but not in 1086.⁸⁰ If these individuals were of sufficient standing to be recorded as jurors, it is unlikely that they had fallen very far in status.

Finally, it is important to understand under what circumstances a sokeman might have had his status reduced to the point where he was recorded amongst the *villani* or *bordarii*. The precise position of the Cambridgeshire *villani* and *bordarii* is unclear, but a sokemen reduced to the status of a *villanus* or *bordarius* may have owed more significant labour services, or labour services for the first time. If he had held a significant area of land, as many Cambridgeshire sokemen did, he might have lost the right to farm most or all of it by 1086. Yet it is unclear how this would have benefited the Norman tenants-in-chief who were the main landowners in many Cambridgeshire villages in 1086. These men controlled considerable areas of land. It is hard to see why they should have wished to take direct control over the lands of sokemen and possibly to impose labour services, which would have required extensive management. Harvey has suggested that most (though not all) Norman lords were disinterested in demesne

⁷⁷ DB, I, 193v.

⁷⁸ DB, I, 196r; ICC p. 12.

⁷⁹ ICC, pp. 11-12. See Lewis, ‘Domesday Jurors’, p. 42 for the identification.

⁸⁰ Lewis, ‘Domesday Jurors’, pp. 29-30.

farming and preferred to collect rents.⁸¹ This trend away from demesne farming even may have helped the decline of slavery.⁸² It would have been most convenient for Norman lords to treat sokemen as sub-tenants, allowing them to remain on their lands in return for rent and other services. This is borne out by Domesday Book itself. Freeman and sokemen frequently were ‘moved’ from one manor to another (presumably for the purposes of rent-paying; the sokemen probably held the same lands) and there were disputes over the right to collect rents from sokemen. In West Mersea, Essex, two sokemen were ‘taken away’ from a manor, and given to Eustace.⁸³ Freeman and sokemen often were ‘added’ to a manor, possibly meaning that these formerly independent individuals now were expected to pay rent. In Great Burstead, Essex, twenty-eight freemen were added to a manor in the time of King William.⁸⁴ In none of the above examples does it appear that the freemen or sokemen had their lands taken away, or that they were expected to perform obligations characteristic of the more dependent peasantry. Crucially, these individuals were referred to as sokemen or freemen in both 1066 and 1086. Thus while a change in tenurial conditions may have represented a decline in status for some, they were still part of the same overall social group. Moreover, it is important to remember that many less dependent tenants already had restricted tenurial rights in the pre-Conquest period.⁸⁵ Several of the 1066 Cambridgeshire sokemen were already in 1066 unable to sell their land, or were able to sell only with permission.⁸⁶ It is possible that the change in some of these individuals’

⁸¹ Harvey, ‘Domesday England’, p. 55.

⁸² Pelteret, *Slavery*, pp. 212-3.

⁸³ DB, II, 22r (Fleming, *Domesday Book and the Law*, no. 1853). See also a dispute over the ‘ownership’ of a sokeman in Hevingham, Norfolk (DB, II, 133r; Fleming, *Domesday Book and the Law*, no. 2220).

⁸⁴ DB, II, 22v (Fleming, *Domesday Book and the Law*, no. 1855). See also, for example, Fleming, *Domesday Book and the Law*, nos. 1849 (DB, II, 19v); 1856 (DB, II, 22v-23r); 2162 (DB, II, 110r).

⁸⁵ Chapter One, pp. 55-6.

⁸⁶ Chapter Four, pp. 154-5.

situation after the Conquest amounted to little more than a change in landlord, albeit one who perhaps drove a harder bargain.

When sokemen experienced a significant decline in status this may have been because of specific, untypical, circumstances. Some lost land to French knights. Unlike the Norman tenants-in-chief, individuals of this lower status probably expected to reside on their lands which they farmed directly, leaving little room for the existing landholders. In Ramsden Cray, Essex, two freemen who had three hides there in 1066 had been replaced by two knights of the bishop of Bayeux by 1086.⁸⁷

Nevertheless, most of the sokemen recorded in Cambridgeshire in 1066, or their descendents, probably were still holding the same lands in 1086 but as the sub-tenants of Norman lords and were for the most part unrecorded. Thus where they were recorded, this almost always was for a specific reason. Sokemen were recorded holding land in Cambridgeshire in 1086 in twenty-one instances. Nine of these concerned estates without demesnes, three concerned land under dispute and four concerned estates where the pattern of landholding was especially complex, usually because several tenants-in-chief held land in the same village.⁸⁸

Reasons for under-recording

There may be two reasons why less dependent tenants were under-recorded in Domesday Book. The first concerns the aims of the inquest. It has been argued that the inquest was designed to collect information both for the purposes of taxation and to provide a record of landholding. This would have affected how information was

⁸⁷ DB, II, 23r (Fleming, *Domesday Book and the Law*, no. 1857).

⁸⁸ For example at Fulbourn (DB, I, 190r) and Meldreth (DB, I, 191r-191v).

prioritised when it was collected and when it was abbreviated to produce Domesday Book. Variations in detail in the thirteenth-century hundred rolls also have been attributed to the editing process by which the manuscripts were produced.⁸⁹ Equally, post-Conquest manorial extents made during an *Inquisition Post Mortem* (a royal enquiry following the death of a tenant-in-chief) are often especially generalised and lacking in detail, since their purpose was not to aid estate administration.⁹⁰ To return to Domesday Book, for purposes of taxation it would have been important to record information on manorial resources. Less dependent tenants primarily contributed rent rather than labour and their rents naturally would have formed part of the overall manorial value.⁹¹ It may have been unnecessary to record further details. The value contributed by the dependent peasantry, probably owing labour services on the demesne, may have been more difficult to quantify, and these individuals may have been recorded in full. For the record of landholding, it was important to record the current holdings of tenants-in-chief, whose support William needed.⁹² The identity of the 1066 landholder also was useful since 1086 landlords derived their rights from those of their ‘antecessor’. Sub-tenants still present in 1086 may have been the least important. This may explain why less dependent tenants were recorded for 1066 where they had been the pre-Conquest holders of the manor, yet far fewer were recorded in 1086, when they may have been sub-tenants of Norman lords.

A second factor concerns the process by which Domesday Book was compiled. Little Domesday Book (covering Norfolk, Suffolk and Essex), which probably represents an earlier draft of the returns and also records significant numbers of freemen and sokemen, may be compared with Great Domesday Book (covering the rest of

⁸⁹ Raban, *Second Domesday*, p. 91.

⁹⁰ Bailey, *English Manor*, p. 25.

⁹¹ See Hadley, *Northern Danelaw*, p. 182.

⁹² See Holt, ‘1086’.

England), which records fewer less dependent tenants.⁹³ Is it possible that the original records behind the folios of Great Domesday could have been similar in detail (and in numbers of less dependent tenants recorded) to the record preserved in Little Domesday?

It is possible to compare the order in which the different circuits of Great Domesday may have been written up with the kind of information they contain (see Table 3.3). As time pressure increased, the information included may have been reduced. Galbraith suggested the order in which Great Domesday was compiled, observing that the number of lines per page of the Domesday manuscript was greater for certain circuits than for others.⁹⁴ More lines were ruled as time went on until, eventually, no lines were ruled at all. Galbraith suggested that the first circuit compiled was circuit three and the second, circuit six. Roffe has argued convincingly that these first two circuits should be the other way around, that is, circuit six was first, and circuit three was second.⁹⁵ He argued that the Lincolnshire folios, which contain an especially large number of sokemen and possibly were the first to be compiled, bear an important resemblance to Little Domesday.⁹⁶ In general, circuit six contains most of the other counties of the northern Danelaw, including Nottinghamshire, Derbyshire and Yorkshire, where freemen and sokemen were recorded in large numbers. The presence of Huntingdonshire is less explicable and is discussed below. Circuit three, the second to be compiled according to Roffe, also records significant numbers of less dependent tenants. According to Galbraith, the third to be completed was circuit one. The last two circuits may have been circuits two and five. The entries for these last three circuits are brief and few less dependent tenants were recorded.

⁹³ See Loyn, 'Domesday Book', pp. 124-5 for the process by which *Domesday Book* may have been produced.

⁹⁴ Galbraith, *Making of Domesday Book*, pp. 203-4.

⁹⁵ Roffe, 'Domesday Book and Northern Society', pp. 321-3.

⁹⁶ Roffe, 'Domesday Book and Northern Society', pp. 331-2.

Domesday circuit, in possible order of compilation	Total less dependent tenants recorded in 1066 (number)	Total less dependent tenants recorded in 1086 (number)
First: Circuit VI		
Yorkshire	0	450
Derbyshire	0	128
Nottinghamshire	0	1,704
Lincolnshire	0	10,882
Rutland	0	8
Huntingdonshire	20	25
Second: Circuit III		
Buckinghamshire	136	20
Bedfordshire	696	107
Hertfordshire	218	51
Middlesex	23	0
Cambridgeshire	836	177
Third: Circuit I		
Hampshire	115	5
Berkshire	102	1
Surrey	31	0
Sussex	162	0
Kent	94	46
Fourth: Circuit IV		

Warwickshire	57	19
Leicestershire	0	1,903
Northamptonshire	0	971
Oxfordshire	31	26
Fifth: Circuit II		
Cornwall	21	0
Devon	163	0
Somerset	186	1
Dorset	70	0
Wiltshire	144	0
Sixth: Circuit V		
Cheshire	185	134
Lancashire	135	18
Staffordshire	113	20
Shropshire	119	154
Herefordshire	20	38
Worcestershire	40	43
Gloucestershire	13	147

Table 3.3: The numbers of less dependent tenants recorded in each county in Great Domesday Book for 1066 and 1086 listed in the possible order of compilation. Apart from the first two circuits, which are based on suggestions made by Roffe, the order of compilation is that suggested by Galbraith.⁹⁷

⁹⁷ Roffe, 'Domesday Book and Northern Society', pp. 321-3; Galbraith, *Making of Domesday Book*, pp. 203-4.

There are in existence several earlier drafts of Great Domesday, however, and they bear only some resemblance to Little Domesday. These early returns include the *Liber Exoniensis*, a record for the southwestern circuit, the *Inquisitio Comitatus Cantabrigiensis*, a record for the county of Cambridgeshire, and the *Inquisitio Eliensis*, a description of the fief of Ely Abbey that appears to have been compiled in 1086 from an earlier draft of Domesday Book.⁹⁸ The numbers of less dependent tenants recorded in these returns are similar to those recorded in the same regions in Great Domesday. Decisions to exclude some less dependent tenants may have been made at an early stage of the inquest, therefore, before the drafts of early returns even were produced. Those working on circuit seven (Little Domesday) simply may have collected more detailed information. Indeed, this may explain why this volume was not abbreviated. Possibly, the complexity of the evidence recorded in the draft returns made the task of abbreviation too difficult. This may be supported by the *Inquisitio Eliensis*, which on its first folio records the questions that the commissioners were expected to ask, at least in the counties of Cambridgeshire, Hertfordshire, Huntingdonshire, Essex, Norfolk and Suffolk.⁹⁹ These questions included the numbers of freemen and sokemen before 1066, after the Conquest in 1066, and in 1086, and how much land each freeman or sokeman had at each date. Yet even in the *Inquisitio* itself, this information was provided in full only for Norfolk, Suffolk and Essex and not for the nearby counties of Hertfordshire, Huntingdonshire or Cambridgeshire. If the *Inquisitio* was a copy of an early draft of the returns, then for all counties except those that would be recorded in Little Domesday, a decision must already have been made at that early date not to provide complete answers to the questionnaire.

⁹⁸ ICC; IE; Exon; Frearson, 'Domesday Book', esp. 381-5; Finn, *Liber Exoniensis*; Galbraith, *Making of Domesday Book*, chs. 8 and 9; Hallam, *Domesday Book Through Nine Centuries*, pp. 21-4.

⁹⁹ IE, p. 97.

Moreover, turning to Table 3.3, it should be noted that there were important exceptions to the general rule that the circuits compiled later were subject to most editing and contained the fewest less dependent tenants. The situation of Huntingdonshire has already been noted. While circuit four was, according to Galbraith, completed fourth, it contains the northern Danelaw counties of Leicestershire and Northamptonshire where significant numbers of sokemen were recorded. The other two counties of circuit four, Warwickshire and Oxfordshire, contain, on the other hand, very few less dependent tenants. Circuit five contains more recorded less dependent tenants than circuits one and two, despite apparently being compiled after these. It is probable, however, that the differences between Little Domesday Book and Great Domesday Book in terms of the number of less dependent tenants recorded have their origins not in the final compilation process, but in a much earlier stage of the inquest.

Discussion

The Domesday evidence for less dependent tenants may be misleading in several ways. The differing terminologies used to describe less dependent tenants may be largely a product of regional differences in vocabulary, confused in some cases by the specific circumstances of the inquest. While under-recording is intrinsically difficult to prove – one cannot know what was not recorded – there were possibly a greater number of less dependent tenants in certain parts of the country in the late eleventh century than the Domesday evidence would suggest. This may help to explain some puzzling features of the evidence, such as the almost total absence of less dependent tenants in Huntingdonshire, and may be explained itself by the priorities of the Domesday

commissioners, and, possibly, by decisions made during the inquest. Other features of the evidence, such as the extreme variation within individual circuits discussed at the end of the last section are more difficult to explain. The nature of the evidence may have exaggerated regional distinctions, and, possibly, created some distinctions that did not truly exist. However, this does not mean that any regional distinctions that did exist were not important. These will be discussed in Chapter Seven.

Given the problems that have been highlighted in this chapter, how far can the Domesday evidence be used to analyse the situation of less dependent tenants? The following two chapters will focus on the counties of Suffolk and Cambridgeshire, and will consider in particular detail the lands of Ely Abbey and Bury St Edmunds. The distinction between Little Domesday and Great Domesday discussed earlier means that the considerable evidence for less dependent tenants in Suffolk may be used with some confidence. In Cambridgeshire, it would appear that the extent of under-recording was perhaps less serious than elsewhere. Yet there is a possibility that in this county only one particular type of less dependent tenant was recorded. It was stated earlier that sokemen could be recorded in three different ways – alongside the *bordarii* and *villani*, appended to a manorial entry, or as the sole holders of a manor. As the majority of sokemen recorded in Cambridgeshire were of the latter type, there is a possibility that those who fell into the other two categories were not recorded. This need not, however, pose a significant problem provided this feature of the Cambridgeshire evidence is taken into consideration in any further analysis.

The Socio-Economic Condition of Less Dependent Tenants at the Time of Domesday

This chapter examines the economic and tenurial situation, and the social position, of less dependent tenants recorded in Cambridgeshire and Suffolk in Domesday Book. This may illuminate the varying conditions recorded in pre-Conquest sources. The first part considers the economic circumstances of less dependent tenants. The second part considers their social position, examining relationships of lordship and the services that less dependent tenants performed. The final part discusses the distinction between ‘sokemen’, and ‘freemen’. This distinction was important in Suffolk and Norfolk, but in Cambridgeshire, ‘sokemen’ was used to describe all less dependent tenants and no ‘freemen’ were recorded. Although some comparison of Suffolk and Cambridgeshire is made in this chapter, detailed discussion of regional differences is reserved for Chapter Seven. In Suffolk, this chapter investigates two case studies –the Domesday fiefs of Bury St Edmunds Abbey and Ely Abbey. In Cambridgeshire, the entire county is considered, with an emphasis upon the fief of Ely. The chapter investigates the 1066 situation. This is closer in time to the pre-Conquest sources already studied, and, as discussed in Chapter Three, the Domesday evidence for Cambridgeshire is fullest and most reliable for this period. First, however, some background information about the Domesday evidence and the choice of case studies is needed.

The Domesday evidence and the case studies

In Suffolk, freemen and sokemen were recorded in sufficiently large numbers in comparison to counties elsewhere that they are unlikely to have been significantly under-recorded in Domesday Book. The 1066 situation may be difficult to reconstruct for this county for another reason, however. We cannot be certain that relationships between freemen and sokemen and their lords in this period were recorded accurately. Norman jurors and commissioners may not have understood the significance of (or the English terminology used for) the various ties of lordship that existed in the Anglo-Saxon period – the bonds of commendation, soke, or those related to landholding in dependent tenure. These relationships also may have been misrepresented deliberately after the Conquest to a lord's advantage, a stronger bond being recorded in Domesday than that which had actually existed, or a bond being recorded that had never existed at all.¹ This issue is particularly relevant to Bury St Edmunds. Baxter has suggested that the record for the fief of this abbey was submitted independently of the rest of the inquest for insertion into Domesday Book.² Abbot Baldwin may in this way have secured an especially favourable record of the rights his abbey had over its men. The implications of this are examined later in the chapter.

The key difficulty with the Cambridgeshire evidence is the possibility that less dependent tenants were under-recorded in this county. This difficulty is not insurmountable, however, since Domesday Book probably records reliably one particular kind of less dependent tenant, that is, those who were recorded because they were the pre-Conquest holders of what were described as manors in 1086.³ These almost

¹ Reynolds, 'Bookland', pp. 222-3; Baxter 'Lordship and Justice', p. 392; Baxter, 'Representation of Lordship', pp. 81ff; Williams, 'Meet the *Antecessores*'.

² Baxter, 'Representation of Lordship', p. 93; Baxter, 'Lordship and Justice', pp. 415-7.

³ See Chapter Three, pp. 123-5 and p. 140.

certainly corresponded to the most ‘independent’ less dependent tenants. Their land either was attached to a manor but valued separately, or was completely separate from a manor. Less dependent tenants of this kind appear throughout Cambridgeshire and were recorded in at least sixty percent of villages in the county, so this group probably was recorded reliably. Others, for example, those holding land alongside the *villani* and *bordarii* or those who held as sub-tenants of a lord in 1066, typically may not have been recorded, however. The only region in Cambridgeshire where less dependent tenants were recorded holding land alongside the *villani* and *bordarii* was the two hundreds of Ely.⁴ In the two hundreds of Ely only, therefore, the Cambridgeshire folios also record the least independent kinds of less dependent tenant, but still probably not those who held as sub-tenants or others of a more intermediate status. Indeed, the *Inquisitio Eliensis* records amongst the Domesday jurors Englishmen from villages in the two hundreds of Ely where no less dependent tenants were recorded in Domesday Book (or where only the most dependent kinds of less dependent tenant were recorded).⁵ To summarise, therefore, the Cambridgeshire folios only provide good evidence for the most independent kinds of less dependent tenant, except in the two hundreds of Ely, where they also record the least independent kinds of less dependent tenant.

Suffolk was chosen as a case study because the folios for this county, recorded in Little Domesday, provide a particularly detailed record. Moreover, two important sokes – those of Bury St Edmunds and Ely– were located in this county. This makes it possible to examine the effect of a powerful ecclesiastical lord upon less dependent tenants, an issue already discussed in Chapter Two. The folios for Cambridgeshire provide detailed evidence, where those for Suffolk do not, of the services that less dependent tenants owed. The soke of the two hundreds of Ely also was located there.

⁴ Chapter Three, pp. 123-4.

⁵ For example, Osmund of Witcham or Ledmer of Witchford, in IE, p. 100. See Lewis, ‘Domesday Jurors’, pp. 25-32 for the reasons why jurors may be missing from Domesday Book.

The considerable land area of Suffolk, and its detailed Domesday record, made it necessary to study only a sample of the manors there. All the manors in the fief of Ely, and 107 manors in the fief of Bury St Edmunds, were investigated.⁶ This focus on ecclesiastical manors has limitations.⁷ There were, however, four reasons why such manors were chosen. First, studies of Domesday lordship in Suffolk which take into account both lay and ecclesiastical landholders already exist.⁸ A study of the situation on ecclesiastical estates can be compared with these. Second, the Domesday evidence will need, eventually, to be compared with post-Conquest manorial surveys. Those available, and used in this dissertation, are predominately from ecclesiastical lords.⁹ Third, the importance of the *Libellus Æthelwoldi* as a pre-Conquest source means that the Cambridgeshire lands of Ely are discussed frequently in this dissertation. It is useful to study, for comparison, Ely's Suffolk lands (an example of lands held by a religious house at some distance from its centre of lordship), and Bury's lands in the same county. The position of Bury St Edmunds in the centre of its lands was similar to that of Ely in Cambridgeshire. Fourth, since religious houses were, by definition, their own *antecessores*, it is relatively straightforward to analyse the bonds between less dependent tenants and these houses in 1066. In the fiefs of lay landholders it would be necessary to reconstruct not only the different ties by which less dependent tenants were bound, but, since Norman lords may have had a number of *antecessores*, also the different lords to which they were bound. The possibility that the abbot of Bury misrepresented the abbey's rights in Domesday Book is discussed later in this chapter.

The Domesday properties of Bury St Edmunds were located in Cambridgeshire (3), Bedfordshire (3), Northamptonshire (13), Essex (8), Norfolk (57) and Suffolk. The

⁶ Manors in the fief of Bury in the hundreds of Thingoe, Lackford, Babergh, Stow, Bosmere, Claydon, Plumesgate, Thedwestry, Bradmere and Blackbourn and part of the hundred of Hartismere were investigated.

⁷ Introduction, p. 25.

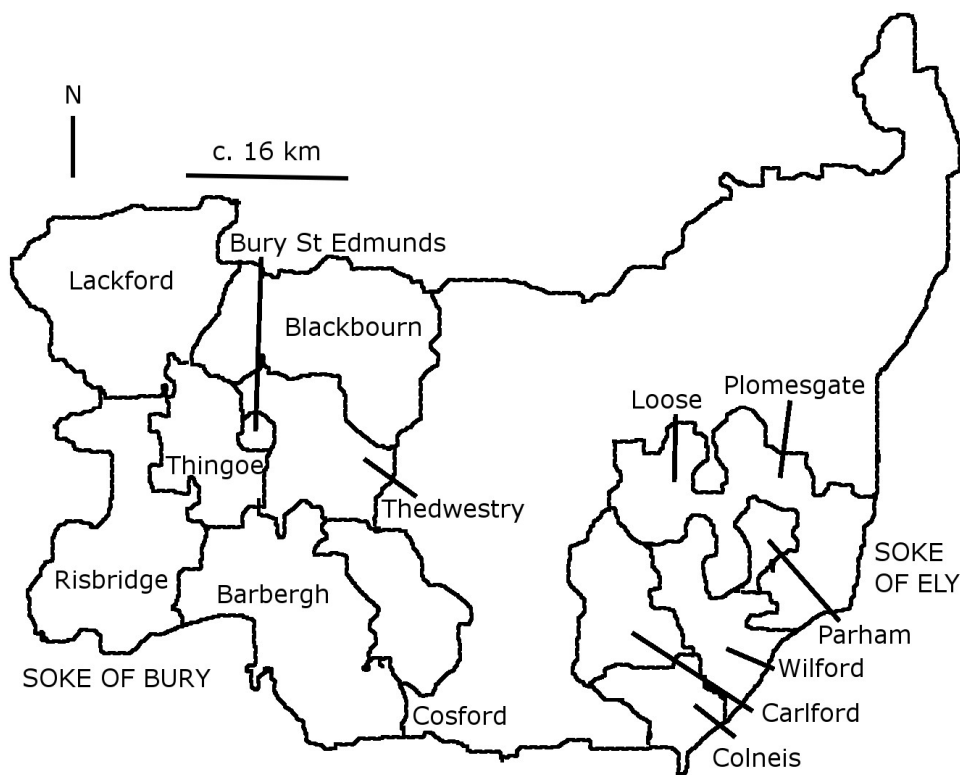
⁸ Williams, 'Little Domesday and the English'; Baxter, 'Lordship and Justice', pp. 412-18.

⁹ *Kalendar*; Coucher Book.

abbey's soke of eight and a half hundreds was located in Suffolk.¹⁰ Most villages where the abbey held land in Suffolk were divided between several lords, except those in Thingoe and Thedwestry hundreds, two of the closest hundreds to Bury itself. In 1086, there were on average 1.6 lords in each village where Bury held land in Thingoe hundred, and 2 lords in each village where Bury held land in Thedwestry hundred. There were, on average, 2.9 lords in each village where Bury held land in the remaining hundreds studied. Bury held land in almost all the villages in Thingoe and Thedwestry hundreds, making the church the most prominent landholder there. Almost all the hundreds where Bury held land studied in this chapter were located in west Suffolk within a region of boulder clay.¹¹ Population density was high, especially to the east and in Thedwestry hundred in particular. Lackford hundred, to the northwest, was located in a continuation of the Norfolk Breckland, a region of poor soils. The population density in this region was low. Bury's properties in Suffolk consisted of small manors and the miscellaneous free holdings of freemen and sokemen. The Suffolk lands of Bury appear in Domesday Book as more manorialised and less irregular than the lands held by Ely in the same county, however.

¹⁰ The hundreds of Thingoe, Lackford, Risbridge, Babergh, Thedwestry, Blackbourn double hundred, and Cosford.

¹¹ See Darby, *Domesday Geography of Eastern England*, pp. 158-9; pp. 166-7; pp. 172-3; pp. 204-6.



Map 4.1: Suffolk in the early medieval period

The Domesday properties of Ely Abbey were located in Cambridgeshire (64), Huntingdonshire (5), Norfolk (34) and Suffolk (117). Cambridgeshire and Suffolk contained the abbey's medieval soke – the two hundreds of Ely and, at some distance from the abbey itself, the five and a half Wicklaw hundreds in southeast Suffolk.¹² The topography of Cambridgeshire has been outlined in Chapter Two (see also Map 2.1).¹³ In Suffolk, the abbey held small manors interspersed with small, irregularly sized, holdings held by groups of freemen. Most of Ely's Suffolk properties were in the east,

¹² Miller, *Abbey and Bishopric of Ely*, pp. 30-5. The five and a half hundreds were the hundreds of Plomesgate, Colneis, Carlford, Wilford, Loose and the half hundred of Parham.

¹³ Chapter Two, pp. 63-5.

close to and in the abbey's soke, although some land was within the soke of Bury St Edmunds in the west. Much of Ely's fief fell within the same region of boulder clay as that of Bury. The eastern part corresponded with an area of sands and gravels and sandy loams where the population density was especially high.¹⁴ The landscape and topography of Ely's fief in Suffolk was broadly comparable to that of the Bury fief. With the exception of the breckland in the northwest, there also was little variation within the two fiefs. There was more variation across Ely's fief in Cambridgeshire, but this county is not the main focus of this chapter. For these reasons, variations in landscape and topography are not taken into account in this chapter. These factors are considered in relation to Cambridgeshire in Chapter Five, however.

Economic and tenurial conditions

This section analyses the landholding of less dependent tenants in Suffolk and Cambridgeshire in order to investigate their economic prosperity and independence. It begins by considering the areas of land held by less dependent tenants in Suffolk and Cambridgeshire. It goes on to investigate conditions of tenure.

On the Suffolk lands of Bury St Edmunds studied, the average holding of a freeman in 1066 was nineteen acres, and of a sokeman seven acres. On the lands of Ely in Suffolk, the average holding of a freeman was eight acres and of a sokeman, eighteen acres. These averages conceal considerable variation in the areas of land held by different freemen and sokemen. In Gedding (fief of Bury), eighty acres were shared between fourteen freemen, so each individual held, on average, just six acres in that

¹⁴ See Darby, *Domesday Geography of Eastern England*, pp. 166-7; pp. 172-3; pp. 204-6.

village.¹⁵ In Rattlesden (fief of Ely), a freeman held three acres.¹⁶ In Preston (fief of Bury) by contrast, a freeman held three carucates; in Hartest (fief of Ely), a sokemen held one carucate.¹⁷

These statistics raise several issues. The small size of many holdings may reflect extreme fragmentation rather than especially low levels of prosperity. Individual freemen and sokemen may have held several small properties in different villages, although this is difficult to prove since many tenants are unnamed in Domesday Book and where names are supplied these are often so common as to make accurate identification impossible.¹⁸ Extreme fragmentation of landholdings may be associated with partible inheritance and an active land market, both of which were present in post-Conquest Suffolk.¹⁹ These issues are discussed in Chapters Six and Seven.²⁰ Regardless of any fragmentation, the total area of land held by most individuals may still have been rather modest. Four separate holdings of, for example, seven acres each would add up to a total holding of less than thirty acres. Many holdings must have been much smaller. Relative freedom from manorial control may not always have equated with economic prosperity therefore. Working from post-Conquest evidence, Hallam has calculated that an average peasant household would need at least twelve acres of land to support itself easily.²¹ Individuals of this type may have been meant when Thurketel of Palgrave granted in his early- eleventh-century will a moor for the ‘freemen’ to use.²²

Some Suffolk freemen and sokemen were, nevertheless, substantial landholders. The significant areas of land that some could hold have already been stated. Many held more dependent peasants under them. Such arrangements may lie behind the

¹⁵ DB, II, 363r.

¹⁶ DB, II, 381v.

¹⁷ DB, II, 359v; DB, II, 382v.

¹⁸ Williams, ‘Little Domesday and the English’, pp. 110-12.

¹⁹ See Bailey, *Medieval Suffolk*, pp. 43-6.

²⁰ Chapter 6, pp. 213-8 and Chapter 7, pp. 284-8.

²¹ Hallam, ‘Life of the People’, p. 824.

²² Whitelock, *Wills*, no. 24 (S 1527).

descriptions of ‘farms’ with houses built on them in the *Libellus Æthelwoldi*.²³ Some even had other freemen or sokemen holding land under them or commended to them. A freeman in Thistleton held sixty acres as a manor with five freemen under him.²⁴ A freeman in Grundisburgh held one carucate and thirty acres as a manor, and in the same village there were three freemen commended to him.²⁵ The meaning of the term ‘manor’ here is unclear. Maitland thought that a manor in Domesday Book was a ‘house against which geld is charged’, although this interpretation was questioned by Round.²⁶ These freemen may have been recorded holding manors because they paid their own geld. Their landholdings also may have been described as manors simply because this appeared an appropriate term, perhaps because they constituted substantial discrete farms partly let to tenants. The contrast between these kinds of people and the poorer individuals discussed above is important.

The average holding of a freeman was larger on the lands of Bury St Edmunds in Suffolk (nineteen acres) than on the lands of Ely in Suffolk (eight acres). The average holding of a *sokeman* on the lands of Ely was eighteen acres but this value probably should be discounted from this comparison since it was calculated based on the lands of only twenty-three individuals and might have been skewed by one or two sokemen with disproportionately large holdings, such as the man noted above with one carucate in Hartest. Either the freemen on the lands of Bury were more prosperous than those on the lands of Ely, or less fragmentation had taken place on the lands of Bury. Both suggestions may be true. Whereas the Suffolk lands of Ely were situated at some distance from Ely Abbey, the Suffolk lands of Bury surrounded the abbey. Close proximity to Bury St Edmunds may have had two effects. First, discrete landholdings close to the abbey may have been given to tenants for specific high-status services. The

²³ LAE ch. 14; LE ch. 11a. A farm at Chippenham with eighty acres and five houses.

²⁴ DB, II, 386r.

²⁵ DB, II, 386r.

²⁶ Maitland, *Domesday Book and Beyond*, pp.120-2; Round, ‘Domesday Manor’. See also Palmer, ‘Domesday Manor’.

possibility of this type of landholding close to Ely Abbey in Cambridgeshire has been discussed in Chapter Two. Such landholdings may have been large and held by substantial individuals. Second, it is possible that, being the most powerful landowner in the region, Bury discouraged fragmentation of holdings since this would have made it difficult to collect rents and services. The twelfth-century Bury *Kalendar* was produced partly to establish the obligations due from the many free tenants of the abbey since the complex nature of landholding in the region meant that these were not being collected in full.²⁷ The strength of Bury's lordship is discussed further in the following sections. Differences in the land held by freemen and sokemen are discussed later in this Chapter.

The above discussion has focused on landholding in Suffolk. The situation in Cambridgeshire appears different. On average, each sokeman holding of the abbey on the Isle of Ely held twenty-six acres. Holdings ranged from fifteen acres in Doddington to sixty acres in Wentworth.²⁸ Wentworth also was the only village on the Isle where sokemen held dependent peasants under them. There were two sokemen with one hide and one sokeman with one hide, who had under them nine *villani* with ten acres each. Elsewhere in Cambridgeshire, the average holding of a sokeman was sixty-nine acres, although, as discussed earlier, these individuals may represent only the most independent kinds of sokemen. The landholdings of less dependent tenants (including those holding on the Isle of Ely) were nevertheless significantly larger in Cambridgeshire than in Suffolk. Possibly there had been less fragmentation in Cambridgeshire. The Isle of Ely may have been even more manorialised than the region surrounding Bury St Edmunds in Suffolk, discouraging fragmentation. Less dependent tenants in Cambridgeshire also may have been, on average, relatively more prosperous, and more clearly differentiated from the dependent peasantry than in Suffolk. This is considered in Chapter Seven.

²⁷ Joy, 'Sokeright', p. 235; *Chronicle of Jocelin of Brakelond*, ed. Butler, p. 120.

²⁸ DB, I, 191v and 192r.

Domesday Book indicates the tenurial situation of less dependent tenants in Suffolk and Cambridgeshire in two ways. First, it records whether or not tenants could alienate land and second, it may be possible to determine the nature of tenure from the particular location of landholdings in manorial entries. According to Domesday Book, less dependent tenants might be unable to sell their lands at all; they might be able to sell with the permission of their lord; they might be able to sell without the soke or without the commendation; or they might be able to sell their land freely. Maitland thought that these clauses referred not to land tenure specifically, but to the quality of commendation.²⁹ If a man could not leave his land, the bond of commendation had 'bound' his land to his lord. Baxter has shown, however, that these statements concerning the power of alienation had nothing to do with commendation and merely indicated whether land was held in dependent tenure or not.³⁰ Commendation itself was a personal bond.

The first two of the four alienation clauses listed above indicated the most dependent types of tenure. Land held in this way might be held on lease, or in return for services (possibly *reeveland* was land of this kind), or it might have belonged to a lord's demesne.³¹ An example of permission being sought from a lord was discussed in Chapter Two.³² Where land could be sold only without the soke or commendation, the nature of the tenure is less certain. The rights that soke lords had over their subjects' property are unclear.³³ It is difficult to know from the Domesday evidence alone whether the soke remained with the land or with the tenant, or even if both situations were possible. Certainly in some cases the soke must have remained with the land. A twelfth-century charter of Abbot Hugh of Bury records the transfer of land in the soke of the

²⁹ Maitland, *Domesday Book and Beyond*, pp. 72-5.

³⁰ Baxter, 'Lordship and Justice', pp. 396-8; Baxter, *Earls of Mercia*, pp. 219-25.

³¹ See Baxter, 'Lordship and Justice', pp. 397-8.

³² Chapter Two, pp. 70-2.

³³ Reynolds, 'Bookland', p. 222.

abbey, complete with sitting tenant, to Robert of Cockfield.³⁴ According to the charter, the tenant had to do all the services associated with the land to Robert of Cockfield, except the customary services owed to the abbey as part of the soke relationship, which remained with the abbey. Maitland considered clauses where the commendation was reserved to mean ‘not that the vendor will continue to be the man of that lord...but that the lord’s rights over the land are not destroyed’.³⁵ Miller considered that the tie of commendation could become naturally inherited in the land over a period of generations, and that this allowed abbeys such as Ely to consolidate control over their land.³⁶ An alternative and, perhaps more likely, possibility has been suggested by Reynolds, who argued that commendation was said to remain in such cases only because the commendation of a man to a lord’s *antecessor* could be used as a claim to that man’s land in 1086.³⁷ Such clauses may have been designed to secure certain lands even if they were sold by their holders. It is unclear why such restrictions were placed only on the lands of certain commended men. Perhaps, for reasons now unclear, the relationships between these men and their lord were more dependent than those of others. Perhaps the lord had a greater need to secure title over some holdings than others. Clauses where the landholder was free to sell would indicate the most independent form of tenure. The less dependent tenants recorded selling their land in the *Libellus Æthelwoldi* may have held in this way. It is also the case that rights over land could be complex, and that tenants could be under the authority of a lord and yet still possess fairly full rights of disposition.³⁸ Domesday Book records individuals who could leave freely, yet still owed customary services, for example at Herringswell in Suffolk.³⁹ It should be understood that, with the exception of certain specific dependent tenures such as leases, the discrete

³⁴ Cited in Davis, ‘Introduction’, in *Kalendar*, p. xl.

³⁵ Maitland, *Domesday Book and Beyond*, pp. 73-4.

³⁶ Miller, *Abbey and Bishopric of Ely*, pp. 59-62.

³⁷ Reynolds, ‘Bookland’, pp. 222-3.

³⁸ Hadley, *Northern Danelaw*, pp. 172-4; Reynolds, *Fiefs and Vassals*, pp. 359-60.

³⁹ DB, II, 358v.

and tidy categories recorded in Domesday Book are to some extent artificial, perhaps a simplification of reality. They only indicate how freely an individual held his land relative to others. In reality, his tenure may have been situated somewhere along a continuum stretching from the most dependent to the most independent forms of tenure.

As noted in Chapter Three, the landholdings of less dependent tenants could be recorded either in the main part of the manorial entry, alongside those of the *villani* and *bordarii* (such individuals might be termed intra-manorial tenants), somewhere near the end of the entry with the value of the land recorded separately from the value of the rest of the manor (such individuals might be termed extra-manorial tenants), or independently of any manorial entry. It is not possible to be completely certain about what these different locations meant. It is probable, however, that intra-manorial tenants were most closely associated with the manorial organisation. Extra-manorial tenants are likely to have been more independent. The separate valuation of holdings would suggest that the economic situation of such tenants was entirely separate from that of the manor. Possibly these were rent-paying tenants. Those who held land independently of manorial entries appear to have held outlying holdings, not closely associated with any manor. Possibly these individuals were holding the kind of land described as ‘freeland’ (*fre lond*) in the eleventh-century will of Ketel.⁴⁰

In Suffolk, the most dependent forms of tenure were associated with the soke of Bury. In this region, sokemen were nearly always intra-manorial tenants and were nearly always unable to sell their land except with permission. Freemen were most likely to be extra-manorial tenants or to hold independently of a manor (they held independently of a manor in 59% of the villages investigated). They usually were able to sell, but the soke, commendation, or both usually remained. On the lands of Bury outside the abbey’s soke, less dependent tenants almost always held their lands independently of a manor, and their rights regarding the sale of land were not usually recorded, possibly because this

⁴⁰ Whitelock, *Wills*, no. 34 (S 1519).

right was assumed. The situation on the lands of Ely in Suffolk, both within and outside the soke of this abbey, was similar to that recorded outside the soke of Bury. The Domesday evidence for the soke of Bury is considered in more detail in the next section. For the moment, however, it is sufficient to note that Bury asserted the strongest control over land located within its territorial soke and close to the abbey. Ely's lands in Suffolk were, by contrast, at some distance from the abbey.

Within Ely's Cambridgeshire soke, less dependent tenants were subject to even greater tenurial restrictions than they were in the soke of Bury. On the Isle of Ely, all recorded sokemen, except those in Haddenham, were intra-manorial tenants.⁴¹ Moreover, none of the sokemen recorded in this region could alienate their lands, even with the permission of the abbot, except those in the village of Wentworth, who could alienate with permission.⁴² Wentworth also was the only village on the Isle where sokemen held significant areas of land and held dependent peasants under them. Tenurial independence may have been linked in this instance to economic prosperity. There are two reasons why this may have been the case. If the ancestors of the sokemen in question were already holding the land when it was acquired by the abbey, their economic situation may have made it difficult to impose stricter tenurial conditions. If the sokemen were holding their lands by grant or lease from the abbey, it may be that the same relationship that had allowed them to obtain significant areas of land also allowed less restrictive tenurial conditions. The reasons behind the situation in Haddenham are less clear, although this village was, according to the *Libellus Æthelwoldi*, especially associated with less dependent tenants when the abbey acquired land there in the late tenth century. This is explored in more detail in Chapter Five.⁴³ The tenurial situation throughout the rest of Cambridgeshire is not considered here since the evidence for this county outside the Isle of Ely is reliable only for the most independent types of

⁴¹ For Haddenham, see DB, I, 192r.

⁴² For Wentworth, see DB, I, 192r.

⁴³ Chapter Five, p. 196.

sokemen. By definition, these individuals almost always could sell, and always held their land either as extra-manorial tenants or independently from a manor.

Social position

The section is concerned with the roles played by less dependent tenants in Suffolk and Cambridgeshire at the time of Domesday, and with their social position. It considers the bonds that existed between these men and their lords and the services that these individuals performed. The significance of territorial sokes to the situation of less dependent tenants is explored briefly. The relationships between less dependent tenants and their lords are discussed with reference to the Suffolk evidence only, since the Cambridgeshire folios do not provide sufficiently detailed information. The Cambridgeshire record is used to investigate the services performed by less dependent tenants.

Less dependent tenants and their lords

According to the Suffolk folios of Domesday Book, less dependent tenants could be bound to their lord in three ways. They might be commended to him, in his soke, or they might owe customary services. They might also be bound by various combinations of these. These ties differ slightly from the three ties of commendation, soke and

dependent tenure described by Baxter in his work on lordship.⁴⁴ However, this difference results only from the way in which the ties were recorded in Domesday Book. As discussed above, dependent tenure was indicated primarily by clauses concerning the alienation of land.⁴⁵ It also may have been implicit when a tenant held his land 'of' (*de*) a lord. Norman lords did not, or did not wish to, distinguish between different types of pre-Conquest lordship, and might use any relationship between a man and their *antecessor* to make a claim on that man's lands. Where a tenurial relationship already existed therefore, it may have been sufficient to record tenants as having held 'of' the *antecessor* and to record them within the fief of the appropriate lord. Other bonds may have been recorded to strengthen the tenurial relationship or to allow a lord to claim the lands of an individual even when a tenurial relationship between this man and the lord's *antecessor* had not existed in the pre-Conquest period. This may explain why customary dues were recorded alongside soke and commendation despite the fact that these were a feature of lordship, and not a specific form of lordship. What the customary dues may have involved is discussed in Chapter Six.⁴⁶

The various combinations of ties between the less dependent tenants on the lands of Bury St Edmunds that were investigated and the percentage to whom each combination applied are set out in Table 1.1 below. It was assumed that all in the fief of Bury and holding land within the abbey's territorial soke were bound to the abbey by ties of soke unless a different soke lord was specified.

⁴⁴ Baxter, 'Lordship and Justice', p. 392; Baxter, *Earls of Mercia*, p. 212.

⁴⁵ Baxter, 'Lordship and Justice', pp. 396-8.

⁴⁶ Chapter Six, pp. 221-7.

Ties	Number of less dependent tenants bound by ties	Percentage of less dependent tenants bound by ties (%)
Commendation only	1	0.07
Soke only	172	12
Soke and commendation	388	27
Soke and customary dues	497	35
Soke and commendation and customary dues	353	25
None recorded	22	2

Table 4.1: The ties between less dependent tenants and Bury St Edmunds as recorded in the sample of villages investigated in the Domesday fief of Bury St Edmunds.

The significance of the soke bond (owed by almost all less dependent tenants in the villages studied) is not surprising given that most of the villages investigated were located within the soke of Bury. The reasons for the importance of commendation (owed by 87% of the men in the villages studied) are less clear. While Maitland considered commendation to have been only a weak bond, Baxter has shown that this was based on a misreading of the Domesday evidence and that commendation was in fact a strong and important form of lordship.⁴⁷ Moreover, it is not surprising that a powerful lord such as the abbot of Bury St Edmunds, with more than sufficient resources and connections to protect and to reward his men, should have attracted a large number of commendations.⁴⁸ What is surprising, however, is that in the villages studied all but one of the commended men also were in the soke of the abbey, a situation found primarily,

⁴⁷ Maitland, *Domesday Book and Beyond*, pp. 67-75; Baxter, 'Lordship and Justice', pp. 388ff.

⁴⁸ Maitland, *Domesday Book and Beyond*, pp. 70-1; Baxter, 'Lordship and Justice', p. 417.

but not exclusively, within the abbey's territorial soke. Detailed studies of commendation patterns in Suffolk by Baxter and by Williams have shown that men usually commended themselves to someone other than their soke lord.⁴⁹ The advantages of this are clear. While the soke lord was entitled to the profits of justice from his men and had an incentive to prosecute them, the lord to whom commendation was owed was expected to defend his men in lawsuits.⁵⁰ If a man's lord had both his soke and his commendation, the protection from justice he might provide would be limited. The abbot of Bury also claimed customary dues from the majority of his commended men (sixty percent of the less dependent tenants who held land in the villages investigated), and many (twenty-nine percent of those studied) also were bound to use the abbey's sheep fold. The obligation to use the abbey's fold refers to the practice in regions with light soils whereby sheep were folded by night on the arable fields when they lay fallow or after the harvest. This was the principal way in which thin soils could be provided with sufficient manure.⁵¹ It should be noted that peasant folds probably also existed in west Suffolk at least in the twelfth century, however.⁵²

Baxter has suggested that the commendation patterns noted on the lands of Bury result from Abbot Baldwin's provision of, in the same way that Wulfstan may have provided for the lands of Worcester, his own, favourable, account of the abbey's pre-Conquest rights over its men to the Domesday commissioners.⁵³ According to Baxter, this would have allowed him to secure and also to improve upon these rights after the Conquest. While this argument is convincing, it does not mean that the Domesday record for Bury's fief is completely unreliable. In fact, there are good reasons to think

⁴⁹ Baxter, 'Lordship and Justice', pp. 412-7; Williams, 'Little Domesday and the English', pp. 114-5.

⁵⁰ Baxter, 'Lordship and Justice', p. 406 and p. 418.

⁵¹ Williamson, *Shaping Medieval Landscapes*, p. 125. See also Bailey, 'Evolution of the Foldcourse System'.

⁵² Bailey, 'Evolution of the Foldcourse System', pp. 45-6.

⁵³ Baxter, 'Lordship and Justice', pp. 415-7; Baxter, 'Representation of Lordship', p. 93. See Rumble, 'The Domesday Manuscripts', pp. 90-1 for the distinctive formulae used for the Bury fee in Domesday Book.

that some of the rights the abbey had over its pre-Conquest tenants were real. While there may have been some manipulation of the evidence at the time of Domesday, perhaps to claim rents and services from less dependent tenants who the abbot wished to have greater rights over, the patterns of commendation recorded may have been largely accurate.

First, the *Libellus Æthelwoldi* would suggest that a religious house could hold considerable power in a single locality. Ely Abbey acquired numerous properties on the Isle of Ely in a short space of time via the local land market, which may have involved pressurising some individuals to sell their lands. By the time of Domesday, the abbey held all of the land on the Isle and had considerable tenurial control over the less dependent tenants that held of the abbey there. Ely Abbey exercised even greater control over its tenants in this soke than Bury St Edmunds did in Suffolk. As suggested in Chapter Three, the Domesday record for the soke of Ely may, like the entire record for the fief of Bury, have been submitted independently to the commissioners. Even in this case, however, the rapid acquisition of land by the abbey in the tenth-century, including land held by less dependent tenants, would suggest that its claims concerning the sokemen who held land on the Isle of Ely were accurate.

Second, although general patterns in the position of less dependent tenants emerge in the account of the fief of Bury, there also were a number of exceptions. It was usual for sokemen in the soke of Bury to hold as intra-manorial tenants and to alienate land only with the abbot's permission. Yet in Herringswell, for example, the sokemen held as intra-manorial tenants but sold their lands without the abbot's permission.⁵⁴ In Culford, the sokemen held as extra-manorial tenants but could not sell without permission.⁵⁵ This kind of confusion would be expected in an accurate account of real conditions.

⁵⁴ DB, II, 358v.

⁵⁵ DB, II, 364r.

Third, alternative explanations can be found for the commendation patterns noted in the fief of Bury. Less dependent tenants holding land in the abbey's soke may have commended themselves to the abbot because there were few other suitable lords in that region. The abbey held land in almost all the villages in the hundreds immediately surrounding Bury St Edmunds. Lords who had their main holdings at some distance from the abbey may have provided limited protection to those holding within Bury's soke and commendation to the abbey may have been the best option for some individuals. It is also possible that, as Baxter has acknowledged, a powerful lord such as the abbot of Bury provided such good lordship that in his case the normal preference to owe commendation and soke to different lords did not apply.⁵⁶ This might have been the case only for certain individuals, however, perhaps those holding official positions in the abbey's administration.

Finally, even if Abbot Baldwin had manipulated the Domesday evidence, that he could make these claims in the first place suggests something about his position. As one of the few major English landholders to have survived the Conquest he was in a good position after 1066. And as abbot of a powerful religious house and as King Edward's doctor, he had held a powerful position prior to this as well.⁵⁷ There is no reason why such a lord should not have imposed restrictions on the tenure and commendations of less dependent tenants even before the Conquest. Indeed, there are good reasons why the abbey may have attempted to reduce the power of other lords within its fief and within its soke especially.

The strength of lordship may have had a significant impact upon at least some of the less dependent tenants holding land in the soke of Bury, therefore. The imposition of customary dues and the requirement to use the abbot's fold also may have been important. Where peasant tenants used their lord's fold rather than their own, they did

⁵⁶ See Baxter, 'Lordship and Justice', p. 418, n. 64.

⁵⁷ See Baxter, 'Lordship and Justice', p. 416 for the strength of Abbot Baldwin's position after the Conquest.

not receive any benefits for their own lands, reducing the yields they could obtain and thus limiting economic independence. If customary dues involved agricultural services this would have limited independence further by reducing the time available for the cultivation of their own lands. Customary services and the obligation to use the abbey's fold were primarily associated with the abbey's territorial soke. Thus the abbey restricted not only the tenorial conditions of those holding within its soke but also influenced the way in which these tenants farmed their lands.⁵⁸

On the Suffolk lands of Ely, soke and commendation also were frequently combined, and fifty-six percent of less dependent tenants were bound by both soke and commendation (see Table 4.2). Of the less dependent tenants commended to the abbey, eighty-eight per cent were also in its soke. This holds true only within Ely's fief, however. According to data collected by Baxter, across the whole of Suffolk only fifty percent of the abbey's commended men also were in its soke.⁵⁹ By contrast, ninety-two percent of Bury's commended men across the whole of Suffolk were in its soke, a figure similar to that obtained for the sample investigated in this chapter. While the lordships of Ely and Bury were similar in some respects, therefore, there also was one important difference. Whereas Bury secured the soke of almost all commended men, Ely secured the soke of only those commended men who were also the abbey's tenants, that is those who held land within the abbey's fief. Why did this difference exist? Bury appears, in Suffolk, to have been the more powerful lord. Bury's lands were more compact than those of Ely, and unlike Ely, Bury held most of the land in its soke. By contrast, Ely held land in only some of the villages in its soke. In the hundred of Colneis, for example, Ely held land in only five out of twenty-nine villages. Ely's Suffolk lands were not consolidated in the same way that the abbey's Cambridgeshire lands were. Most villages where the abbey held land were shared between four or five important lords. There may

⁵⁸ See pp. 157-9 above.

⁵⁹ Baxter, 'Lordship and Justice', 114. For position as the King's doctor, see Garnett, *Conquered England*, p. 3; Baxter, 'Lordship and Justice', p. 114.

have been more competition from other lords for the commendations of men within the abbey's soke, and for both the soke and commendation of men who held land outside it. The abbot may have been able to secure the soke and commendation only from those who also held land from him.

Ties	Number of less dependent tenants bound by ties	Percentage of less dependent tenants bound by ties (%)
Commendation only	24	7
Soke only	26	8
Customary service only	2	0.6
Soke and commendation	184	56
Customary service and soke	70	21
Customary service, soke and commendation	0	0
None recorded	21	6

Table 4.2: The ties between less dependent tenants and Ely in the Domesday fief of Ely in Suffolk, with the relative importance of each combination.

There are several further indications that Ely's lordship in Suffolk was less consolidated and effective than that of Bury, almost certainly because of the distance between Ely Abbey and its Suffolk lands. Very few less dependent tenants on the lands of Ely owed customary services. Although Table 4.2 shows that seventy-two tenants owed customary services, seventy of these held land in the same village, Bromeswell, so

this would seem to be an unusual case.⁶⁰ There is no record of tenants owing suit to Ely's fold. Possibly, most less dependent tenants holding of Ely in Suffolk owed rents and customary services were unimportant. Rents would have been easier to collect at a distance, while the abbey did not need to farm its Suffolk land directly since the distance was too great for food to be transported from this region to the monastery.

These conclusions can be linked to a further feature of less dependent tenants on the Suffolk lands of Ely. Four percent of these individuals were described as being either 'half-freemen' or 'half-commended'. The term 'half-freemen' might have indicated a more dependent freemen, not fully free. The lack of clear differences in the characteristics of half-freemen and ordinary freemen, however, would suggest that they were equivalent and referred to individuals commended or to in some other way connected to more than one lord. The advantages of this were no doubt similar to those that could be obtained by owing soke and commendation to different lords. Although the lordship that Ely exercised in Suffolk was relatively strong within the abbey's fief, the weaker influence of the abbey elsewhere in the county, and the close proximity of alternative lords in the hundreds where Ely held land, may have made it easier for tenants within the fief to commend themselves to more than one lord.

Services owed by Cambridgeshire sokemen

For Cambridgeshire, Domesday Book records the specific services owed by sokemen in 1066. These were cartage, escort service, guard service and the provision of watchmen. All these obligations could be commuted for a money equivalent. Cartage and escort service could be commuted for standard payments of eight pennies and four

⁶⁰ DB, II, 387v.

pennies respectively. It should be noted that Domesday Book may not provide a complete record of these services.⁶¹ The information recorded in Domesday Book appears to have come from a list provided by the sheriff, meaning that services connected with other officers of the king may not have been recorded.

Several observations can be made. First, these obligations are comparable with those of the *geneat* described in the *Rectitudines Singularum Personarum* and discussed in Chapter One, or those of Oswald's tenants recorded in the *Lex Equitandi*. Such services may have required free time as well as access to resources including riding horses and weapons. They could only have been carried out, therefore, by those with sufficiently large holdings and who were not involved in the full time cultivation of their land. This might indicate something about the socio-economic position of the Cambridgeshire sokemen recorded in Domesday, although there are two caveats to this. We cannot know if these services were actually performed by the time of Domesday. The money payments required are not especially high (according to the *Rectitudines*, the *gebur* paid twelve pennies a year in rent), and may have been affordable even for sokemen who lacked the resources actually to perform the services. It is also the case that the most common obligations were the least 'high status', and probably were the least costly to perform. Cartage was mentioned sixty-four times in the Cambridgeshire folios and watchmen were mentioned forty-six times. Escort service, however, was mentioned only sixteen times, and guard service only twice.

Second, all the obligations were public and were owed either to the sheriff or to the king. In West Wratting, of the ten sokemen there in 1066, six provided cartage dues (*inueniebant aueras*) and four escort service (*inueniebant inguardas*) when the king came to the shire (*si rex ueniret in scyra*).⁶² In Balsam, three sokemen owed cartage dues

⁶¹ Oosthuizen, 'Sokemen and Freeman', p. 196.

⁶² DB, I, 190v.

and escort service in 1066.⁶³ The *Inquisitio Comitatus Cantabrigiensis* adds that these services were for the sheriff.⁶⁴ A connection with public service has been cited as a characteristic of less dependent tenants.⁶⁵ The Cambridgeshire Domesday, however, associates these public services with a number of different landholders, not only those recorded as sokemen. From the size and number of their holdings, some of these other landholders may have been members of the local aristocracy. Toki, a thegn of King Edward, held over seventeen hides of land in Cambridgeshire, yet owed cartage from a three virgate holding in West Wrating.⁶⁶

Third, Oosthuizen has suggested that sokemen in the Bourn Valley in Cambridgeshire took on holdings burdened by public obligations since these allowed them to gain unique access to commendation to the king.⁶⁷ While the king was an important lord in the area investigated by Oosthuizen – the Bourn Valley was the location of an extensive royal estate, probably still partially intact at the time of Domesday - it would seem that across the whole of Cambridgeshire the services owed by sokemen and others were of a more universal kind.⁶⁸ Although such obligations were public and owed to the king, they were not necessarily associated with commendation to the king. Only sixty-six percent of the sokemen who owed public services in Cambridgeshire were recorded as king's men. Public services were owed widely throughout Cambridgeshire by men of a number of different commendations. Three sokemen in Fordham, who provided escort service and cartage for the sheriff, were the men of Eadgifu and Earl Ælfgar.⁶⁹ There also were men commended to the king who were not recorded owing services to him. In Grantchester, two sokemen were

⁶³ DB, I, 190v.

⁶⁴ ICC, p. 24.

⁶⁵ For example, Joy, 'Sokeright', pp. 288-90; Hadley, *Northern Danelaw*, pp. 183-7; Faith, *English Peasantry*, chs. 4-5; Oosthuizen, 'Sokemen and Freeman'.

⁶⁶ DB, I, 196v.

⁶⁷ Oosthuizen, 'Sokemen and Freeman', pp. 204-5.

⁶⁸ See Oosthuizen, 'Sokemen and Freeman', pp. 192-5; 203-4 and 206-7.

⁶⁹ DB, I, 195v.

commended to the king but owed no services.⁷⁰ Another sokeman in the same village was commended to Esger the Staller and provided cartage.

The previous section focused on the relationships that less dependent tenants might have with their lords. This section has discussed the relationship that less dependent tenants may have had with the king. Less dependent tenants probably were not defined by any unusual relationship with the king, or by a specific obligation to perform public services. The obligation to perform public services in fact was incumbent upon a range of landholders. Such an obligation did not have, moreover, any specific association with commendation to the king.

The distinction between sokemen and freemen in Suffolk

Historians generally have argued that the distinction between sokemen and freemen in Domesday Book was unclear. Maitland suggested that sokemen may not have been able to depart from their lands whereas freemen could, while Miller suggested that this was the case for Suffolk and Norfolk, but not for Cambridgeshire, where all less dependent tenants were recorded as sokemen, and where there were wide variations in status between these sokemen.⁷¹ On the Bury estates surveyed, there were 1193 freemen but only 240 sokemen (seventeen percent of the total). Indeed, numbers of sokemen and freemen varied widely between the different hundreds where Bury held land (see Table 4.3). Although such variation may have reflected differing conditions in different hundreds, part of the distinction between sokemen and freemen may have been terminological and local.

⁷⁰ DB, I, 196r.

⁷¹ Maitland, *Domesday Book and Beyond*, pp. 104-6; Miller, *Abbey and Bishopric of Ely*, p. 63.

Hundred	Number of freemen on Bury's lands in hundred	Number of sokemen on Bury's lands in hundred
Thingoe	61	58
Lackford	16	4
Babergh	54	8
Hartismere	105	5
Thewestry	596	0
Bradmere	23	39
Blackbourn	292	126

Table 4.3: Numbers of freemen and sokemen on Bury's manors in some of the hundreds sampled in this Chapter. Only the hundreds where Bury held land in a significant number of villages are included.

Nevertheless, there are recognisable differences between sokemen and freemen. First, as Maitland suggested, sokemen generally were unable to depart from their lands without permission whereas freemen nearly always could. There were only eight exceptions to this rule in the manors studied. Freemen in Saxham, Market Weston, Brockley, Bradfield and Little Fakenham were unable to depart without permission. Ten freemen in Fornham St. Martin 'belonged entirely' to Bury and, presumably, also were unable to depart.⁷² Sokemen in Herringswell and Preston were able to leave without

⁷² DB, II, 357r; 366r; 358r; 361v; 362r and 367v. Only one of three freemen at Market Weston needed permission to depart.

permission.⁷³ Second, sokemen held land that appeared independent of a manor only in two cases.⁷⁴ This situation was, however, common for freemen. Third, sokemen were more likely to be tied to the abbey by customary services, soke and commendation than were freemen, who were more likely to bound by either soke and commendation or by customary services and soke (see Table 4.4). Sokemen thus were bound to the abbey by more ties than were freemen. Sokemen also were slightly more likely to owe customary services (seventy percent of them did) than freemen (fifty-seven percent did).

	Number bound by soke and commendation	Number bound by soke and owing customary services	Number bound by soke and commendation and owing customary services	Number bound by soke, or by commendation	Number whose ties to Bury not recorded
Sokemen	34 (14%)	82 (34%)	86 (36%)	19 (8%)	19 (8%)
Freemen	354 (30%)	415 (35%)	267 (22%)	153 (13%)	3 (0.3%)

Table 4.4: The numbers and percentages of sokemen and freemen who owed various combinations of customary services, commendation and soke on the Suffolk lands of Bury.

Freemen may have enjoyed greater independence than sokemen. This may be compared with the physical areas of land held by freemen and sokemen. Freemen held significantly more land (nineteen acres on average) than sokemen (seven acres on

⁷³ DB, II, 358v and 359v.

⁷⁴ DB, II, 360v and 361v.

average). Moreover, all sokemen on the lands of Bury studied (except those recorded in Bradmere Hundred) held land within Bury's soke of eight and a half hundreds, where the abbey may have maintained a greater degree of control over its tenants.

The situation on the lands of Ely was different, however. Table 4.5 summarises the characteristics of freemen and sokemen on Ely's Suffolk lands. There were 297 freemen and 30 sokemen recorded in total. The seventy freemen recorded holding land in Bromeswell have been omitted from the comparison.⁷⁵

<i>Freemen</i>	
Characteristic	Number with this characteristic
Bound by soke	20 (7%)
Bound by commendation	24 (8%)
Bound by soke and commendation	180 (61%)
Owing customary services and bound by soke	70 (24%)
Owing customary services	2 (0.7%)
No information about ties given	1 (0.3%)
Intra-manorial tenants	18 (6%)
Extra-manorial tenants	16 (5%)
Holding in an unmanorialised village	263 (89%)
<i>Sokemen</i>	
Characteristic	Number with this characteristic
Bound by soke	6 (20%)
Bound by soke and commendation	4 (13%)
No information about ties given	20 (67%)

⁷⁵ Bromeswell, DB, I, 387v.

Intra-manorial tenants	4 (13%)
Extra-manorial tenants	15 (50%)
Holding in an unmanorialised village	11 (37%)

Table 4.5: The characteristics of freemen and sokemen on the Suffolk lands of Ely.

The situation on the Suffolk lands of Ely may have been similar to that on the Suffolk lands of Bury. Most freemen (61%) on the lands of Ely were bound by soke and commendation. Relatively small percentages were bound by soke or commendation alone, and a very small percentage owed customary services. The ties between Ely and most sokemen (67%) were not recorded and the rest were bound by soke alone. If, as on the lands of Bury, sokemen on the lands of Ely were in the more dependent position, it is possible that ties frequently were unrecorded because they were implicit. The sokemen whose ties were unrecorded actually may have been closely bound to Ely, holding by both soke and commendation. There is one difference between the results obtained for Ely and those for Bury, however. Like those on the Bury lands, most Ely freemen (89%) held land in unmanorialised villages, but it is surprising that many Ely *sokemen* (37%) also held land in this way. In the fief of Bury, sokemen held in this way in only two villages. Moreover, in contrast to the situation on the lands of Bury, fifty percent of sokemen on the lands of Ely held as extra-manorial tenants and only thirteen percent as intra-manorial tenants. The proportion of sokemen able to sell their land also was greater than on the lands of Bury. Only thirty-six percent of sokemen were unable to sell without permission. No information was supplied at all for the freemen on the lands of Ely, and it may be that all freemen were able to sell.

The conclusions that may be drawn from the above discussion are as follows. There was a definite distinction between freemen and sokemen in Suffolk. The characteristics of each group were not entirely consistent, but a number of features

existed that when taken together made one of the two categorisations more likely. Freeman typically were bound by fewer bonds, did not owe customary services, could depart from their land and did not hold as intra-manorial tenants. They usually held more land than sokemen. Sokemen were bound by more bonds, often owed customary services, were less likely to be able to depart and were more likely to hold as intra-manorial tenants than were freemen.

How these characteristics played out in practice may have varied according to circumstances, however. Ely's Suffolk lands were located at some distance from the abbey itself. Moreover, the manorial structure of east Suffolk where Ely's lands primarily were located was especially weak.⁷⁶ All but three of Ely's tenants there held land in villages shared between four or five major landholders and many less dependent tenants holding of the abbey in Suffolk were recorded in villages where the abbey had no manor and no demesne land. This is very different from the situation in the two hundreds of Ely, where the abbey was nearly the sole landholder. Therefore, in villages in Suffolk where Ely did have a manor the less dependent tenants there were more likely to be sokemen holding land as intra-manorial tenants. Many less dependent tenants were holding small areas of land from Ely in villages where the abbey had no manor, however, or in villages that were shared between a number of lords and where the hand of lordship was correspondingly weak. As a result there may have been opportunities for sokemen as well as freemen to hold either as extra-manorial tenants or independently of a manor. This situation also may have contributed to the greater possibilities for the sale of land amongst sokemen that have been noted.

⁷⁶ Bailey, *Medieval Suffolk*, pp. 27-9.

Discussion

Many very different individuals could be classified as freemen or sokemen in Domesday Book. Less dependent tenants could be relatively poor individuals, holding very small areas of land, perhaps comparable to the independent ‘freemen’ that appeared in the eleventh-century will discussed in Chapter One, or the ‘poor villagers’ recorded in the *Libellus Æthelwoldi* selling to Ely and discussed in Chapter Two.⁷⁷ Indeed, the small average holding sizes recorded for Domesday Suffolk suggest that many less dependent tenants were of this type. The group also could include prosperous individuals, however, who held a carucate or more with dependent peasants, or even other freemen or sokemen, under them. These people might be comparable to the *geneat* of the *Rectitudines* or to the *cnihhtas* and thegns in pre-Conquest wills and leases. Such individuals may not have been completely distinguishable from those immediately above them in the social hierarchy. Both some prosperous sokemen and some minor thegns owed services to the king in Domesday Cambridgeshire. Land could be held under a range of tenorial conditions while the relationships between lords and less dependent tenants also could be various. All of this may explain some of the complexity and confusion in the pre-Conquest evidence that was revealed in Chapters One and Two.

The Domesday evidence also can provide a useful corrective to that of the pre-Conquest sources, however. These early documents mainly record those who performed specific and important functions, for example those who held administrative positions. This is at odds, however, with the suggestion from the Domesday evidence that most less dependent tenants were of relatively modest situation. In particular, there appears to have been an entire class of sokemen and freemen holding small areas of land on more restrictive tenorial conditions and closely related to the manorial organisation.

⁷⁷ Chapter One, pp. 46-7 and Chapter Two, p, 70.

Behind all of this variety, there may have been some rationale. The conditions of less dependent tenants could vary with the strength of lordship. Those holding land in the territorial soke of Bury seem to have been in a position of greater dependence than those holding land elsewhere in the county. Those in Ely's Cambridgeshire soke were in a more dependent position still. In Suffolk, 'freemen' and 'sokemen' formed two meaningful social categories, although the terms may not always have been used consistently or precisely, especially on the lands of Ely.

The next chapter takes this investigation further to consider the distribution of less dependent tenants. It discusses in particular the strength of lordship, and considers the factors that may have affected this.

The Distribution of Less Dependent Tenants in Domesday Cambridgeshire

Using Cambridgeshire as a case study, this chapter attempts to bring together themes discussed in previous chapters to investigate how and why the landholding of less dependent tenants varied across a single county in 1066. The social role of less dependent tenants, also important, is revisited in the following chapter. The first part investigates two factors that may have influenced the proportion of land held by sokemen in a given area: the strength of lordship, and the type of lord who had influence in that area, that is, whether the lord was ecclesiastical, royal or lay.¹ The second part considers topography and environmental factors. First, however, it is necessary to discuss the choice of Cambridgeshire as a case study, and the way in which the Domesday evidence has been used.

¹ All less dependent tenants in Domesday Cambridgeshire were recorded as sokemen.

Domesday Cambridgeshire and the recording of less dependent tenants

There are several reasons why Cambridgeshire is well suited to this study. First, the smaller size of Cambridgeshire in comparison to Suffolk lends itself well to a study of this kind since all Domesday villages in Cambridgeshire could be included in the study. This was useful because there could be considerable variation in the social structures of different villages, even those located relatively close together. Second, Cambridgeshire is unusual in that the *Libellus Æthelwoldi* provides detailed evidence for this county in the pre-Conquest period. The earlier history of certain villages may be relevant to their situation at the time of Domesday. The influence of Ely Abbey upon the pattern of landholding in the county is itself a third reason for the choice of Cambridgeshire for this study.

Finally, Cambridgeshire straddles the conventional boundary between the 'woodland' and 'champion' countrysides, with most of east Cambridgeshire (apart from the fens) falling within the 'champion' zone.² The 'champion' landscape covered most of the midlands and northeast England and in its final form consisted primarily of nucleated villages and open fields. The field system usually consisted of strips evenly distributed across two or three large fields, subject to strict communal management. The chronology of village nucleation and the creation of open field systems has been the subject of considerable debate, but current opinion favours the widespread existence of open fields at least by the time of Domesday, and in the view of many commentators, much earlier.³ There is evidence for open fields and nucleated villages in eastern Cambridgeshire by the eleventh century, although there also were still some more

² Gray, *English Field Systems*; Rackham, *History of the Countryside*, fig. 1.3; Roberts and Wrathmell, *Region and Place*, fig. 1.1; Rippon, *Beyond the Medieval Village*, pp. 1-12; Williamson, *Medieval Landscapes*, pp. 1-8.

³ See, for example, Lewis, Mitchell-Fox and Dyer, *Village, Hamlet and Field*; Brown and Foard, 'Saxon Landscape'; Hall, 'Origins of Open-Field Agriculture'; Hall, 'Late Saxon Countryside'.

irregular field systems, re-organised along more regular lines only in the post-Conquest period.⁴ The ‘woodland’ landscape featured predominately dispersed settlement, with ‘irregular’ open fields, some enclosed land and a greater proportion of woodland and common land. In irregular field systems, there were commonly a larger number of smaller open fields, strips tended to be clustered near to individual farmsteads rather than evenly distributed, and communal management was less important. There is no direct correlation between these two regions and the recording of freemen and sokemen in Domesday Book. Freemen and sokemen are found in large numbers both in the ‘woodland’ landscapes of Norfolk and Suffolk, and in the ‘champion’ landscapes of the northeast of England. On the other hand, few less dependent tenants were recorded in the southwest, although this region fell, like East Anglia, within the ‘woodland’ zone. Local variations in field systems and villages structures have been associated nevertheless with different kinds of peasant tenants. This will be discussed in more detail later in this chapter.

The key difficulty with the Domesday evidence for less dependent tenants in Cambridgeshire has already been discussed. Sokemen may have been under-recorded in this county. The Cambridgeshire folios provide a full and accurate record of only the most independent kinds of sokemen (with the exception of the sokemen recorded on the Isle of Ely), and this chapter investigates only these more independent individuals. The 1066 situation is investigated here because sokemen were more consistently recorded in Cambridgeshire for 1066 than for 1086.⁵

The Domesday evidence for Cambridgeshire presents two further challenges. First, almost all Cambridgeshire sokemen are recorded as the pre-Conquest holders of what had become manors by 1086. Many of these manors had been held in 1066 by several sokemen rather than by a single individual and some may have been artificial

⁴ Oosthuizen, *Landscapes Decoded*; Fox, ‘Adoption of the Midland System’; Williamson, *Medieval Landscapes*, pp. 72-9.

⁵ Chapter Three, pp. 129-33.

creations of the period following the Conquest. The lands of several independent sokemen may have been combined to form a discrete unit held by a Norman lord. For this reason, the landholding of sokemen has been studied here in the context of the village rather than the manor. To assess the distribution of sokemen, it would be useful to calculate, for each village, the proportion of the population that sokemen represented. Unfortunately, the Cambridgeshire folios do not record the numbers of *villani* and *bordarii* in 1066, making such calculations impossible. Since the areas of land held by the 1066 sokemen were recorded, their relative importance has instead been assessed in terms of the proportion of land they held in each village.

Second, it is difficult to be certain how the sokemen recorded in the Cambridgeshire Domesday for 1066 held their land, and of the relationships they had with their lords. They are recorded holding land ‘under’ or ‘from’ a certain lord, as the ‘man’ of a lord, or as being commended to a lord. Yet is unclear how accurate these descriptions were. Since the sokemen had been recorded as pre-Conquest landholders their connections with English lords may have been manipulated to justify the post-Conquest acquisition of their lands by the French. Therefore this chapter focuses only on the general distribution of sokemen; no attempt is made to distinguish between the different ways in which they may have held their lands, between the different relationships the sokemen may have had with pre-Conquest lords, or between the different rights such lords may have had in their lands. The recorded lord of a particular sokemen will be considered merely to have had ‘influence’ in the village where the sokemen were recorded.

The topography of Cambridgeshire was outlined in Chapter Two and illustrated with Maps 2.1 and 2.2.⁶ It should be noted in addition that the region of heavy clay soils to the east, where sokemen were recorded in relatively large numbers, corresponded to

⁶ Chapter Two, pp. 63-5.

the part of the county that fell within the conventional zone of ‘champion’ countryside. The rest of the county fell within the ‘woodland’ zone.

Lordship and the landholding of sokemen

The percentage of land held by sokemen in a village may have been influenced both by the strength of lordship, and the type of lord – lay, ecclesiastical or royal – from whom the sokemen held their land, or to whom they were commended. This section begins with some suggestions as to why these factors might have had such an influence. It then investigates the situation in Cambridgeshire as revealed by the Domesday evidence.

The strength of lordship within a village may have been influenced by several factors. Particularly important may have been the number of lords with influence there, with the strongest lordship being associated with villages where there was either a single lord, or a very small number of lords. An association between divided lordship, weaker lordship, and a more independent peasant population has been noted by several commentators.⁷ The number of lords associated with the villages under investigation may serve as a measurable index of the strength of lordship, therefore, which can be compared with the proportions of land held by sokemen in each village. In villages where several lords had an interest, independent sokemen may have held a greater proportion of the land. There are two reasons to suspect this. First, it would appear that lords sought to rationalise and consolidate their holdings where possible.⁸ So where a lord held land in a village shared between several landlords, it is likely that the area of

⁷ Bailey, *Medieval Suffolk*, pp. 27-34; Hadley, *Northern Danelaw*, p. 190; Faith, *English Peasantry*, pp. 154-5.

⁸ For example, Chapter Two, pp. 87-9.

land he held was small, and that it was peripheral to his main holdings. It may have been more convenient for this lord to let this land to sokemen who would pay rents and require minimal supervision than to dependent tenants owing labour services. Where a lord held a large proportion of the land in a village, and there were few other lords, he may have held more land in demesne and less land would have been available to independent sokemen. Second, competition between different lords in the same village may have made it difficult to bring peasant tenants into dependence. Tenants may have held their land from one lord yet might have been commended to, and protected by, another. Moreover if lords competed to attract commendations, they may have been under greater pressure to provide good lordship in villages where alternative lords were readily available.⁹

The proportion of land held by sokemen in a given village also may have been influenced by the type of lord with which they were associated. Hamshere, working on the west midlands, has shown that different estate structures, and social structures, were associated with different kinds of lords.¹⁰ Hamshere's analysis was based on Kosminsky's earlier study of the 1279 Hundred Rolls, which had suggested that the proportion of demesne arable and the social structure of a manor varied according to its size.¹¹ In villages where a large proportion of land was held by ecclesiastical institutions, in particular monasteries, few sokemen may have held land. There was a greater emphasis upon demesne farming on monastic estates (probably because of the need to provide for a large resident community) and monastic landlords in the eleventh century were primarily concerned to obtain labour services from the more dependent peasantry.¹² They may have either purchased the land of independent sokemen, or brought these individuals into a position of greater dependence. Sokemen also may have

⁹ For competition for commendations see Baxter, 'Lordship and Justice', p. 417.

¹⁰ Hamshere, 'Estate Structures in the West Midlands'; Hamshere, 'Church of Worcester'.

¹¹ Kosminsky, *Studies in the Agrarian History of England*.

¹² Hamshere, 'Estate Structures in the West Midlands', pp.170-3.

held more land where the king was an important landholder. Royal estates tended to be large and were perhaps better exploited by collecting rents than by exacting labour services.¹³ Some commentators also have suggested a special relationship between sokemen and royal or public service.¹⁴ Lay landlords, a group that included great lords holding significant areas of land across England as well as local thegns with modest holdings, may have adopted different approaches to estate management according to their differing circumstances.¹⁵ One might not therefore expect to find a clear relationship between the percentage of land held by lay individuals in a given village, and the percentage of land held there by sokemen. This discussion has focused on lords as landlords. The impact of lords by commendation is less clear and is considered later.

The factors discussed above can be tested for Cambridgeshire using statistical methods. The percentage of land held by sokemen in each Cambridgeshire village in 1066 was correlated with, respectively, the number of lords associated with that village; the percentage of land held by, or by those commended to, the church; the percentage of land held by, or by those commended to, the king; and the percentage of land held by, or by those commended to, the laity in 1066. Included in the analysis were 132 villages - all of those recorded in the Cambridgeshire Domesday except for a small number where there were deficiencies in the data. The results are shown in Table 5.1 below. The correlation coefficient (more formally, the Pearson product-moment correlation coefficient) is a value between -1 and 1. A value of -1 indicates a perfect negative correlation; a value of 0 indicates no correlation; and a value of 1 indicates a perfect positive correlation.¹⁶ The significance value (based on the t-distribution) essentially indicates the probability that the correlation could have occurred by chance.¹⁷ The lower

¹³ Hamshere, 'Estate Structures in the West Midlands', pp. 161-70.

¹⁴ Joy, 'Sokeright', pp. 288-90; Hadley, *Northern Danelaw*, pp. 183-7; Oosthuizen, 'Sokemen and Freeman'; Lavelle, "All the King's Men?"

¹⁵ Hamshere, 'Estate Structures in the West Midlands', pp. 172-80.

¹⁶ Feinstein and Thomas, *Making History Count*, pp. 76-86.

¹⁷ Feinstein and Thomas, *Making History Count*, pp. 117-75.

the significance value, the less likely that the correlation is incidental (a significance value of 0.01, for example, indicates only a 1% probability that the correlation occurred by chance). The lower the significance value, the greater the statistical significance of the results. A value of 0.05 is usually considered acceptable in historical research.¹⁸

The percentage of land held by sokemen in each Cambridgeshire village, correlated with the:	Number of lords associated with village	Percentage of land in village held by, or by those commended to the laity	Percentage of land in village held by, or by those commended to, the king	Percentage of land in village held by, or by those commended to, the church
Correlation coefficient	0.45	0.06	0.26	-0.20
Significance value	Less than 0.001	0.49	0.003	0.019

Table 5.1: The percentage of land held by sokemen in each Cambridgeshire village surveyed correlated with other characteristics of that village.

The strongest correlation (correlation coefficient of 0.45) was between the percentage of land held by sokemen in a village and the number of lords. This was highly significant (significance value of less than 0.001). The percentage of land in each village held by the king was also important, and was positively correlated with the percentage of land held by sokemen. The negative correlation between the percentage of

¹⁸ Feinstein and Thomas, *Making History Count*, pp. 160-1.

land held by sokemen in each village and the percentage of land held by the church is suggestive but a significance level of 0.019 is still much less than the acceptable value of 0.05. There was no relationship between the percentage of land held by sokemen and the percentage of land held by the laity.

These results agree with the suggestions made earlier in this chapter. However, the correlation coefficient only measures the strength and direction of association between two variables and does not necessarily reveal causation. However, a statistical association between two variables does not mean necessarily that there is a genuine relationship between them. Although the percentage of the land held by sokemen associated with the church in each village was negatively correlated with the percentage of land held by sokemen, it also was negatively correlated with the number of lords associated with each village (correlation coefficient -0.28 ; significance value less than 0.001).¹⁹ Is it possible that sokemen held less land in villages where the church held a significant proportion of the land only because these same villages also had fewest lords? The percentage of land associated with the king was positively correlated both with the percentage of land held by sokemen in each village and with the number of lords associated with it (correlation coefficient 0.27; significance value 0.002). This relationship is surprising. If the king was associated with a high proportion of the land in a village, naturally there would be less land available for other lords, and one would expect the total number of lords in the village to be correspondingly low. Yet villages where the king was an important lord actually were associated with more lords overall. The reasons for this are unclear, but this may reflect the granting away of land to royal officials.²⁰

¹⁹ It should be noted that as there were a number of ecclesiastical landholders in Cambridgeshire this statistic is not a mathematical inevitability. In theory, a village could have been held largely by the church yet still may have been divided between several lords.

²⁰ Baxter and Blair, 'Land Tenure and Royal Patronage'; Lavelle, "'All the King's Men?'".

It is possible to study these issues further by measuring again the relationships between the percentage of land held by sokemen in each village and, respectively, the percentage of land held there by, or by those commended to, the church, and the percentage of land held there by, or by those commended to, the king, whilst controlling for the number of lords associated with the same village.²¹ If this reveals a correlation between the variables investigated, there must be a genuine relationship between them irrespective of the number of lords in each village. If there is no longer any correlation between the variables, they probably only appeared to be related because of the underlying influence of the number of lords in each village. Table 5.2 gives the correlation coefficients and the significance values obtained.

The percentage of land held by sokemen in each village correlated with:	The percentage of land held by, or by those commended to, the church, controlling for the number of lords associated with that village	The percentage of land held by, or by those commended to, the king, controlling for the number of lords associated with that village
Correlation coefficient	-0.09	0.16
Significance value	0.298	0.063

Table 5.2: The correlation coefficient and significance values for relationships between the percentage of land held by sokemen in each village and certain factors, controlling for the influence of the number of lords associated with each village.

²¹ Using partial correlation. See Feinstein and Thomas, *Making History Count*, pp. 248-55.

When the influence of the number of lords associated with each village was removed, the strength of the initial correlation between the percentage of land held by sokemen and the percentage of land held by, or by those commended to, the church, decreased dramatically. With a significance value of 0.298 (higher than the acceptable value of 0.05), the relationship was no longer statistically significant. There may not have been, therefore, an intrinsic relationship between the percentage of land associated with the church and the percentage of land held by sokemen. Less land was held by sokemen in villages where an ecclesiastical lord was the main landholder because few other lords were associated with those villages. Where an ecclesiastical institution was only one of several lords, on the other hand, the proportion of land associated with the church had little effect on the percentage of land held by sokemen. It was the type of estate management practised by ecclesiastical organisations (that is, the acquisition of compact blocks of land in close proximity to the institution itself) that influenced the social structure of their estates.

The relationship between the percentage of sokemen holding land in a given village and the percentage of land associated with the king there was more complex. The significance of this relationship rose from 0.003 to 0.063 when the influence of the number of lords was removed. The correlation is less significant, but the value of 0.063 may be sufficiently close to 0.05 to suggest some relationship. Sokemen always tended to hold more land in villages where there were many lords, but they also were slightly more likely to hold land in villages where the king was an important landholder. This allows for the possibility that more extensive forms of lordship on royal estates promoted landholding by sokemen – although the strength of lordship was a far more important factor overall.

It has been assumed so far that the lords in question were landlords, rather than lords by commendation. One might assume that the identity of the lord by commendation would affect the landholding of sokemen differently from that of the

landlord. The strong relationships obtained would suggest, however, either that the number of lords by commendation was small and had little effect on the overall trends detected, or that the identity of the lord by commendation had a similar relationship with the landholding of sokemen to the identity of the landlord. The evidence discussed in Chapter Four might support the latter of these two suggestions in the case of certain ecclesiastical lords (although the extent of lordship enjoyed by the religious houses covered in this chapter was not typical). In Suffolk, Bury St Edmunds and Ely Abbey attracted most commendations where they were significant landholders and where there were few other lords. These villages would be precisely those where one would expect independent sokemen to hold smaller percentages of land.

One of the most important influences upon the landholding of sokemen may have been the strength of lordship. Where few lords were associated with a village, and the strength of lordship was strong, independent sokemen held a small proportion of the land. Where a village was more fragmented, a number of lords had an interest in the village, and the strength of lordship was weak, independent sokemen held a large proportion of land. The strength of lordship was likely to be stronger when the lord was an ecclesiastical institution, but the church had no intrinsic impact on the landholding of sokemen. Sokemen held more land where the king was an important lord, partially because the strength of lordship often was weak in such villages.

Topographical and environmental factors

There are three further reasons why the distribution of sokemen may have varied across Cambridgeshire. First, there may have been an association between different field

systems and village social structure. Second, sokemen may have held more land at some distance from centres of lordship.²² Finally, environmental factors including topography and soil type may have been important.²³ These may have influenced, amongst other things, the economic potential of the land, which may have been associated with both the strength of lordship and the kinds of opportunities open to small landholders. This section begins by considering broad trends in the distribution of sokemen across the whole of Cambridgeshire. One of the most interesting aspects of the evidence, however, is the way in which the percentages of land held by sokemen could vary dramatically within a very small area. The second part of this section investigates, through several case studies, the reasons for such diversity.

Distribution across Cambridgeshire

Map 5.1 shows, for each Cambridgeshire hundred, the mean percentages of land held by sokemen in the villages recorded there. The highest proportions of sokemen were recorded in the southwest. This corresponds roughly with the part of the county that fell conventionally within the region of ‘champion’ countryside. One might expect that sokemen would be less important as landholders in ‘champion areas’, however. This is the field system typically associated with the midlands, where few less dependent tenants were recorded in Domesday Book. Moreover, the communal or lordly control associated with such a system might be more readily linked to social and economic dependence. But research has shown that sokemen were indeed more common both in

²² As discussed in Chapter Four in relation to Ely Abbey. See Chapter Four, pp. 161-3.

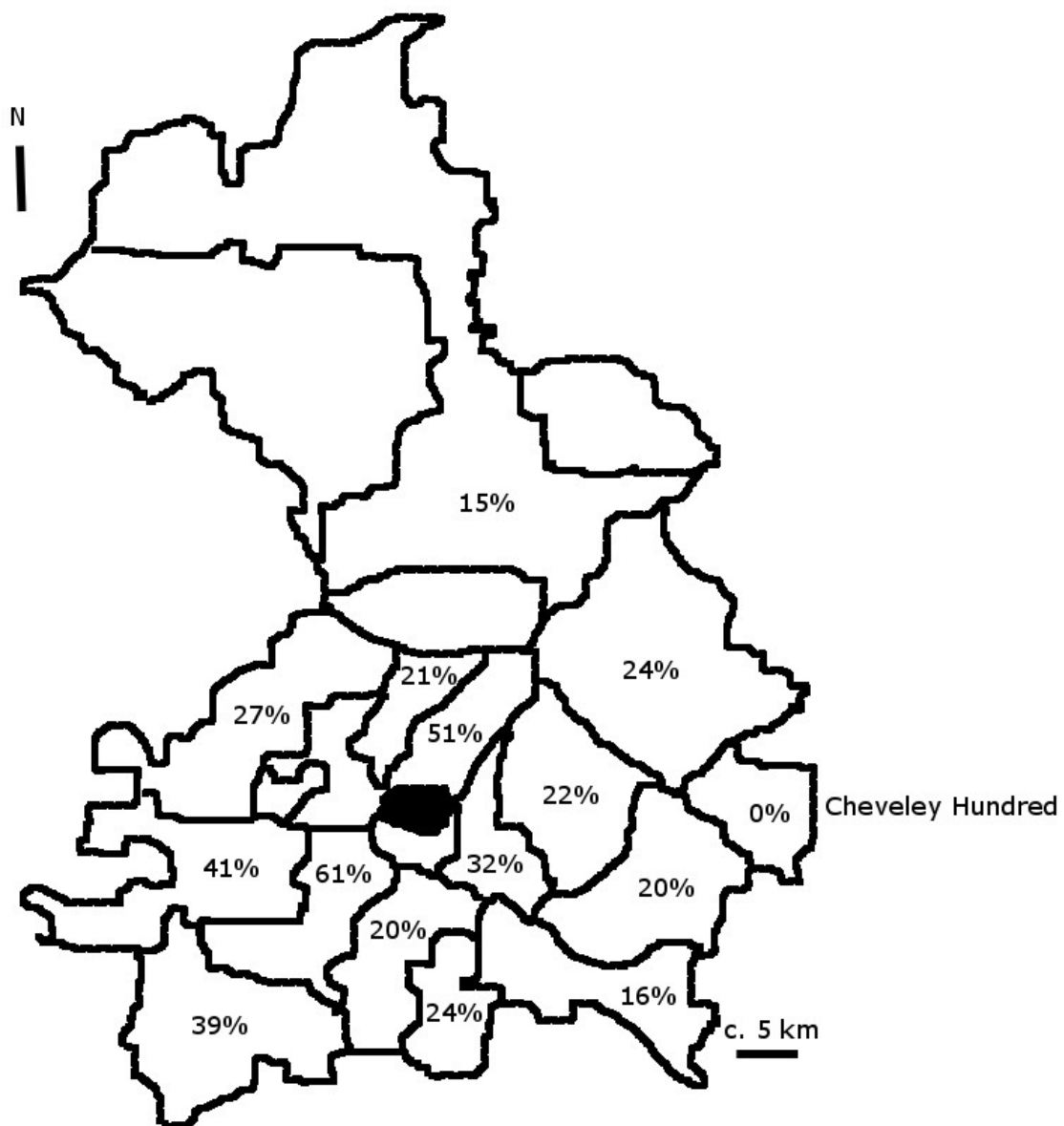
²³ Williamson, *Medieval Landscapes*; Williamson, ‘Explaining Regional Landscapes’.

the ‘champion’ part of Cambridgeshire and in areas with irregular open field systems in ‘woodland’ areas. Several different interpretations have been put forward.

Oosthuizen has suggested in relation to the Bourn Valley in west Cambridgeshire that the sokemen there may have laid out open fields in a conservative manner along existing prehistoric field boundaries.²⁴ Rippon, Martin and Satchell, and Williamson have considered the association between ‘freer’ social structures and open field systems in northern East Anglia, and between landholding in severalty and less ‘free’ social structures in the south, although the explanations they give for this differ.²⁵ Rippon has discussed long standing cultural differences between northern and southern East Anglia, leading to the development of open fields in the north in the eighth and early ninth centuries. Martin and Satchell have suggested, amongst other things, that disruption caused by Viking invasion may have contributed to the development of open fields in northern East Anglia in the late ninth and early tenth centuries (although the Vikings may not have imported the idea themselves). The same conditions also may have affected social structures. Williamson has noted a connection in the north of East Anglia between small fragmented manors with small demesnes and lighter labour services (arising from environmental and economic factors), and an independent peasant population. Partible inheritance and an active land market, particularly associated with less dependent tenants, together with population growth may then have encouraged holdings to disintegrate into strips, leading to the development of irregular open fields. These developments may have continued into the post-Conquest period.

²⁴ Oosthuizen, ‘Sokemen and Freeman’; Oosthuizen, *Landscapes Decoded*.

²⁵ Rippon, *Medieval Village*, pp. 138-200; Martin, “‘*Wheare Most Inclosures Be*’”; Martin and Satchell, “‘*Wheare Most Inclosures Be*’”; Williamson, *Medieval Landscapes*, pp. 185-90.



Map 5.1: For each Cambridgeshire hundred, the mean percentages of land held by sokemen in the villages recorded there. The dots represent Domesday villages.

Field systems aside, it is not, however, immediately obvious why the southwest of Cambridgeshire should have been associated so strongly with landholding by sokemen. Oosthuizen noted in her study of the Bourn Valley that this region probably had been the site of an extensive royal estate from the eighth century, intact in the mid-tenth century and only a ‘little more fragmented thereafter’.²⁶ Forty-eight percent of the land in this valley recorded in Domesday Book was either held by the king, on loan from the king, or held by royal officials or senior members of the royal court.²⁷ Twenty-seven percent was held by sokemen owing services to the king.²⁸ According to Oosthuizen, this estate may have preserved older social relationships based on public service, discouraging manorialisation.²⁹ This may have been important, but other factors might have been involved as well. It may be more fruitful, therefore, to consider those parts of Cambridgeshire where sokemen did not hold significant proportions of land.

Sokemen held the least land in the two hundreds of Ely. It also should be noted that almost all of these sokemen were intra-manorial sokemen and probably in a position of greater dependence than those recorded elsewhere. One might normally associate the fens with less dependent tenants because of the remoteness of these regions.³⁰ The Cambridgeshire fenland was dominated by Ely Abbey, however. The policy of land acquisition and estate management adopted by Ely probably was responsible for the unimportance of sokemen in this area.³¹ This is discussed later in this chapter.

Outside the fenland, the region where sokemen held the least land corresponds roughly with the line of the East Anglian Heights in south Cambridgeshire (see Map 2.2). This may be related to the poor quality, thin, soils of much of this region.³²

²⁶ Oosthuizen, ‘Sokemen and Freeman’. See p. 207 for the quotation.

²⁷ Oosthuizen, ‘Sokemen and Freeman’, p. 203.

²⁸ Oosthuizen, ‘Sokemen and Freeman’, p. 195-8. See Chapters One and Four.

²⁹ See Oosthuizen, ‘Sokemen and Freeman’, pp. 192-5 for the degree of manorialisation in the Bourn Valley.

³⁰ Williamson, *Origins of Norfolk*, pp. 119-21.

³¹ Chapter Two, pp. 82-7.

³² Williamson, *Medieval Landscapes*, pp. 123-40, especially pp. 137-8.

Sokemen there may have been economically weaker and more vulnerable to the pressures of lordship. In particular, the chalk soils lacked nutrients and could only be kept in heart by regular manuring. As noted in Chapter Four, one way of achieving this was to fold sheep flocks by night on the fallows.³³ Where tenants contributed sheep to their lord's fold – as some did on the Suffolk lands of Bury – their own lands could not benefit from the practice. The system also encouraged strong lordship as it needed strict organisation to function effectively.³⁴ Williamson has commented that suit to a lord's fold may not have been as common in Cambridgeshire as in Norfolk and Suffolk, but it still may have been important in certain villages.³⁵ In particular, clear evidence for the practice is available only in post-Conquest records, and only for those villages for which such records exist. A lack of surface water on the chalk may have limited the locations where settlements could be successively established.³⁶ This may in turn have limited the opportunities for sokemen to maintain independence by settling away from centres of lordship.

Cheveley Hundred to the southeast does not fit the pattern discussed above. No sokemen were recorded in this hundred at all, and the seven villages there were almost all held by a single lord. Strong lordship is the most likely explanation for the lack of sokemen there. The reasons for such strong lordship are unclear, however.

It may be appropriate at this point to return briefly to the southwest of Cambridgeshire. In comparison to the East Anglian Heights, this region contained relatively good soils, comprising mainly of low boulder clay plateaux (see Map 2.2).³⁷ Unlike the fenland and the Isle of Ely, the region was not a centre of strong ecclesiastical or aristocratic lordship, and was the site of a partially fragmented royal estate. This combination of factors may have meant that there was no reason for lordship to be

³³ Williamson, *Medieval Landscapes*, p. 125.

³⁴ Williamson, *Medieval Landscapes*, p. 125.

³⁵ Williamson, *Medieval Landscapes*, p. 136-7.

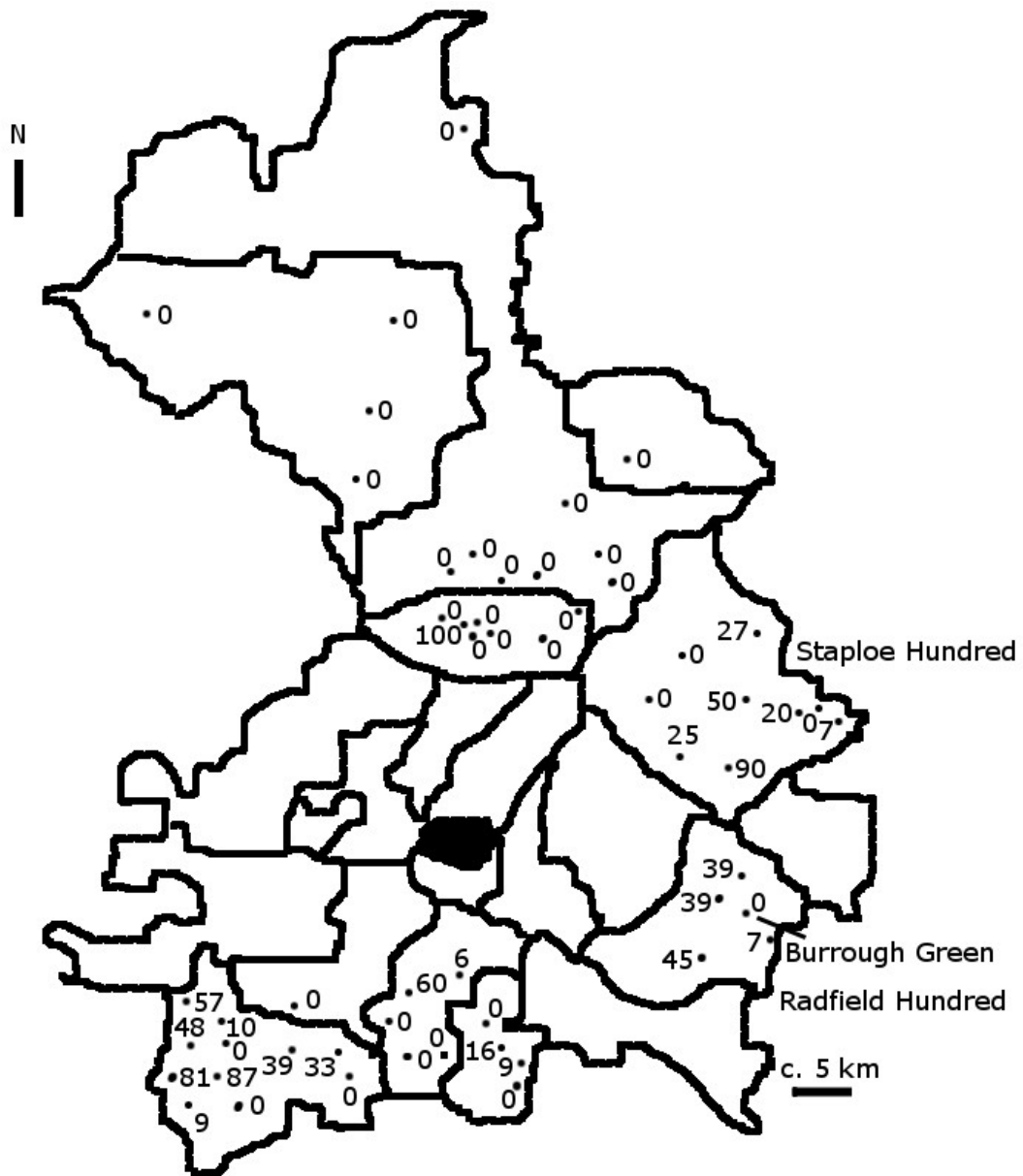
³⁶ Williamson, *Medieval Landscapes*, p. 138.

³⁷ Williamson, *Medieval Landscapes*, p. 72.

especially strong in southwest Cambridgeshire, and the proportion of land held there by independent sokemen correspondingly was high.

Local variation

The broad regional variation discussed above is, however, only part of the picture. When the proportions of land held by sokemen are considered at village level, as shown on Map 5.2 for certain parts of Cambridgeshire, it becomes clear that there could be considerable variation even within the same hundred. Even where the overall proportion of land sokemen held was high there were several villages where no independent sokemen were recorded at all.



Map 5.2: Detailed variation in the percentages of land held by recorded sokemen in certain parts of Cambridgeshire. The numbers represent the percentages of land sokemen held in each village.

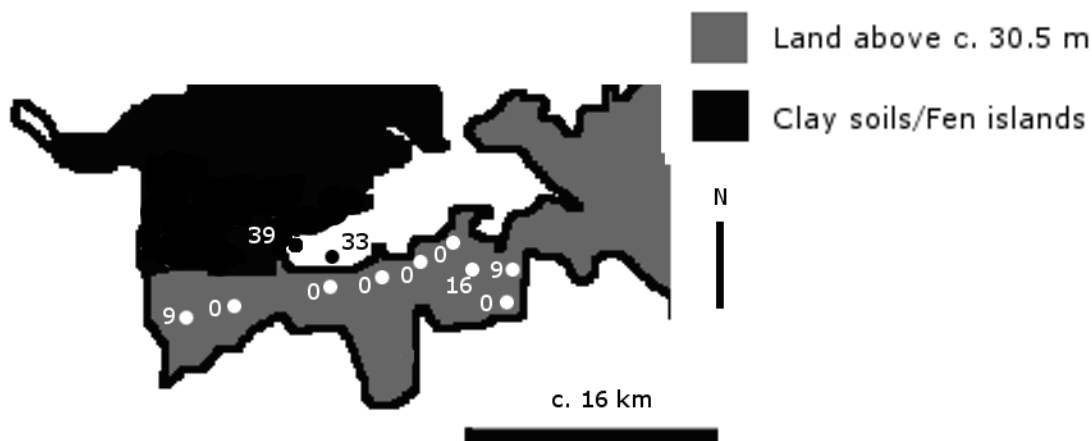
Few independent sokemen were recorded on the Isle of Ely in 1066. Almost all the land there was held by Ely Abbey at the time of Domesday and the sokemen recorded there were the abbey's tenants. Almost all were unable to sell their lands, and almost all were recorded in Domesday Book alongside the more dependent *villani* and *bordarii*. This reflected changes in the pattern of landholding which had taken place only one hundred years before, and, unusually, it has been possible to trace these changes using in the *Libellus Æthelwoldi*. Before around 970, the pattern of landholding on the Isle of Ely was complex and many less dependent tenants held land there. The changes that had occurred by the time of Domesday were a direct result of the policy of land acquisition adopted by Bishop Æthelwold on behalf of Ely Abbey. The absence of independent sokemen on the Isle of Ely can be attributed, therefore, to the existence there of a large ecclesiastical institution which required a large consolidated endowment; to the economic and political power of such an institution; and to the local land market. It was possible for a region to be transformed rapidly from one with a complex pattern of landholding, with a number of independent landholders, to one in the hands of a single lord where no land was held by independent sokemen.

Running across the southwest of the county, there were a line of five villages where no independent sokemen were recorded. The percentages of land held by sokemen in the surrounding villages were nevertheless high, with sokemen holding between thirty percent and eighty percent of the land. Almost all of the villages there without recorded sokemen were located along the spring line at the foot of the chalk escarpment that forms the East Anglian Heights, at around thirty to thirty-five metres above sea level (see Map 5.3). The majority had only one or two lords. The villages with recorded sokemen mostly were located at least a kilometre to the north east on the floodplain of the River Cam. Several lords had an interest in each of these. The spring line settlements probably were attractive to lords because they were comparatively well located. They had good access both to the Cam valley and to the chalk uplands for the

grazing of livestock. Sheep farming on the chalk downs may have been particularly profitable to lords given the importance of wool to the English economy in the eleventh century.³⁸ The *Libellus Æthelwoldi* records that Irish traders were buying and selling cloaks in Cambridge in the late-tenth century.³⁹ By contrast, the villages with recorded sokemen were located close to the floodplain of a river where the land was almost entirely flat and the soils were mostly poorly drained. These villages also did not have easy access to the chalk uplands. It would seem, therefore, that there was a basic connection between the characteristics of a settlement, the strength of lordship, and the proportion of land held there by independent sokemen. Lords may have consolidated their holdings where it was most desirable for them to do so; independent sokemen may have held land in more marginal areas. This may have created striking differences in village social structure, even where villages were located comparatively close to one another.

³⁸ Sawyer, 'Wealth of England', pp. 161-3; Maddicott, 'Prosperity and Power', esp. pp. 54-7; Campbell, 'Infancy in England', esp. p. 15.. For the commercial production of wool in post-Conquest Suffolk, see Bailey, *Medieval Suffolk*, p. 23.

³⁹ LAE ch. 42; LE ch. 32.



Map 5.3: The landholding of sokemen in southwest Cambridgeshire. The numbers represent the percentages of land sokemen held in each village.

Similar trends can be observed elsewhere. Work by Harrison on the field systems of six parishes in Radfield Hundred in southeast Cambridgeshire has suggested a connection between soil types and field layout (see Map 5.2 for Radfield Hundred).⁴⁰ One village in this study, Burrough Green, had a slightly different field system from the others, which may have been because it possessed better soils that were all equally worth cultivating. Burrough Green also was the only village of the six to have no recorded sokemen in 1066 and a single lord. Sokemen held on average around thirty percent of the land in the other villages. The best land in the locality may have been chosen for an intensively managed manorial centre, whilst sokemen might have settled on that which remained.

⁴⁰ Harrison, 'Open Fields and Earlier Landscapes'.

To return to the Isle of Ely, some villages were more closely associated with higher status landholding than others even before Ely Abbey bought land there. Downham and Linden especially were held by a small number of aristocratic landowners and no less dependent tenants were recorded there in the *Libellus* (see Map 2.3 for locations).⁴¹ Hill, Haddenham and Wilburton, by contrast, were divided between a number of landholders, many of whom were less dependent tenants. Downham and Linden both were especially favourable locations. According to the author of the *Libellus Æthelwoldi*, the land at Dowham was ‘very fertile and close to the monastery’.⁴² The modern village of Little Downham stands on a mixture of gault clay - a heavy but fertile and calcareous soil - and a fine loam with good drainage.⁴³ Downham was the site of the Bishop of Ely’s palace in the post-Conquest period.⁴⁴ Linden was in the tenth century the centre of the thegn Leofric of Brandon’s twelve-hide estate on the Isle. Both villages, therefore, were associated with strong lordship and high-status landholding, itself related to the characteristics of the two settlements.

Precisely how might distinctions between different settlements have arisen? One possibility is the local land market. Although the *Libellus* primarily concerns Ely Abbey, it is clear from this source that other, lay, individuals were involved in the land market in the same period. Lords may have consolidated their holdings where they most wished to hold land, at the expense of the independent sokemen previously holding there. These sokemen may have moved elsewhere or may have remained as sub-tenants of the purchaser.⁴⁵ Tenth-century land prices recorded in the *Libellus* correlate well with the 1066 valuations of the same manors recorded in Domesday Book. There has been some debate over the meaning of Domesday manorial values. Bridbury suggested that the

⁴¹ Chapter Two, p. 76-77.

⁴² LAE ch. 10; LE ch. 11. ‘*fertilissima et monasterio proxima*’.

⁴³ *Ely*, Soil Survey of England and Wales; Darby, *Cambridge Region*, pp. 28-9.

⁴⁴ VCH Cambs., IV, 91.

⁴⁵ See the rapid changes of landholding in Chippenham, Cambridgeshire between c. 970 and 1066 in Chapter Two, pp. 87-9.

values do not indicate overall profitability but the rents that a lord could obtain.⁴⁶ Harvey has argued that manorial values included all the profit that could be obtained from a manor, including income from appurtenant assets such as meadow and pasture.⁴⁷ One may argue, however, that, whatever their specific meaning, Domesday land values may indicate the approximate 'worth' of a holding, even if they were not a precise record of the land's real value. There are two reasons for this. First, the potential rental income of an estate (if this was the basis for an assessment of value) may have affected the price that people would be prepared to pay for it. Reasons for a high rental income might include good quality land, from which high rents could easily be extracted from tenants; a large estate with a large tenant population; or alternatively the existence of a large dependent tenantry from whom high rents could be obtained. Second, McDonald and Snooks have demonstrated a strong positive correlation between manorial value and manorial resources.⁴⁸ While a further part of McDonald and Snooks' work has been questioned by Wareham and Wei, these criticisms do not affect the comments made about the basic connection between manorial values and resources.⁴⁹

⁴⁶ Bridbury, *English Economy*, pp. 86-132.

⁴⁷ Harvey, 'Taxation and the Economy'.

⁴⁸ McDonald and Snooks, *Domesday Economy*, pp. 77-95.

⁴⁹ Wareham and Wei, 'Taxation and the Economy'. See also J. Z. Titow, 'Review of *Domesday Economy*'.



Graph 5.1: The relationship between land prices recorded in the Libellus Æthelwoldi Episcopi for tenth-century Cambridgeshire and land values recorded in Domesday Book for 1066.

Graph 5.1 illustrates the relationship between land prices in tenth-century Cambridgeshire and the land values recorded for the same estates in Domesday Book in 1066. The data has a correlation coefficient of 0.59, indicating a strong positive correlation (significance value 0.02) High prices were paid in the tenth century for land that was profitable and, presumably, the most attractive. Sokemen may have been unable to pay these prices and may have been unable to acquire land in these villages. Sokemen also may have been pressured to sell land in villages deemed desirable by aristocratic landholders.⁵⁰

⁵⁰ Chapter Two, pp. 83-5.

Distinctions between different villages also may have arisen in other ways. Lords often granted or bequeathed land to their retainers, who may have included sokemen. Grants may reasonably have included land in outlying villages that were not centres of lordship. Alternatively, the pattern of landholding in a given village may have been longstanding by the time of Domesday. Village social structure may have been influenced by the function that the village originally had within a large middle-Saxon estate. Faith has suggested that some settlements within these large estates were more closely associated with a servile workforce than others.⁵¹ The social structures of certain villages also might reflect the fragmentation of middle-Saxon estates – when smaller holdings were granted away to high-status landholders and therefore exploited more intensively, independent or semi-independent sokemen may have been brought into a greater degree of dependence.⁵²

Such longstanding associations may be illustrated by a final example, the fen edge in Staploe Hundred (see Maps 5.2 and 5.4.). Here, no sokemen were recorded in the two villages at the fen edge, Wicken and Soham, but sokemen were important in the villages to the southeast. Wicken and Soham both were connected with strong lordship in 1066. Eadgifu the Fair held Wicken as a single manor. Soham was a demesne manor of the king and the other landholders there (Bury St Edmunds and Ely Abbey) held only small areas of land. Topographical factors may be relevant here. Wicken and Soham also were the only two villages in the area to be located predominately on heavy clay soils.⁵³ These villages are the only ones in their region of Cambridgeshire with evidence of ridge and furrow, necessary because drainage on the heavy soils was poor.⁵⁴ Elsewhere, the area was characterised by lighter chalk and sandy soils. Archaeological evidence shows that the area of lighter soils experienced considerable settlement in the prehistoric

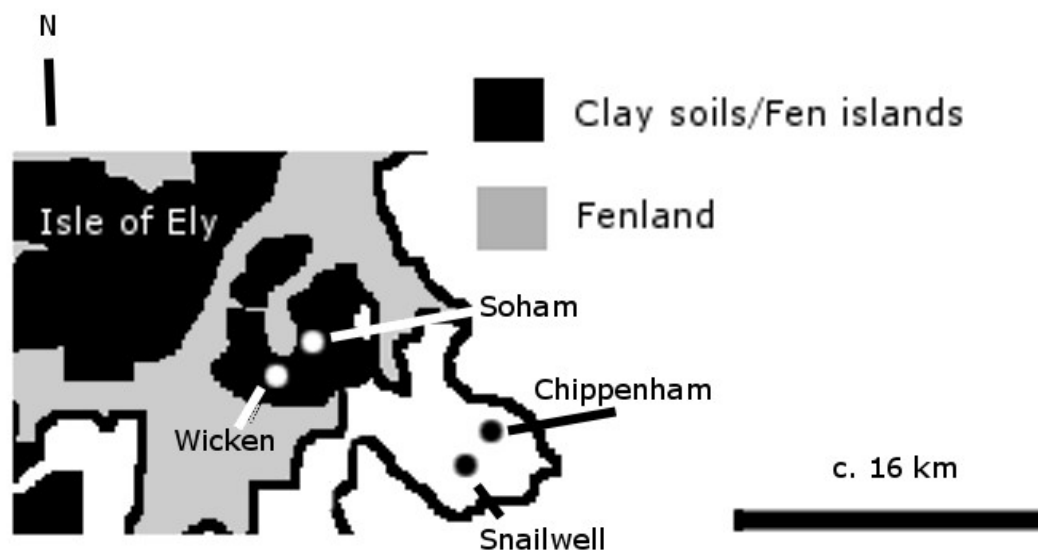
⁵¹ See Faith, 'Topography and Social Structure of a Small Soke', pp. 211-2.

⁵² See Harvey, 'Demesne Agriculture', pp. 53-4 for the observation that smaller manors tended to have larger demesnes. See also Faith, *English Peasantry*, ch. 6.

⁵³ Hall, *Fenland Project Cambridgeshire*, pp. 72-107.

⁵⁴ Hall, *Fenland Project Cambridgeshire*, pp. 80-1.

and Romano-British periods. In Snailwell, prehistoric and Roman remains underlie the medieval village.⁵⁵ Soham and Wicken were settled at this time only at their margins, however, where the soils were lighter.⁵⁶ The heavier clay soils could not be cultivated before the development of the heavy plough in the early medieval period.⁵⁷ Because of their soils, Wicken and Soham probably were established later than other settlements in Staploe Hundred. These factors may have contributed to the development of Wicken and Soham as centres of strong lordship, without sokemen. Sokemen may have continued to hold on the lighter lands where the history of settlement was more ancient.



Map 5.4: The landholding of sokemen in Staploe hundred.

⁵⁵ Hall, *Fenland Project Cambridgeshire*, pp. 95-101.

⁵⁶ Hall, *Fenland Project Cambridgeshire*, pp. 82-107, esp. p. 82.

⁵⁷ Williamson, *Medieval Landscapes*, pp. 119-23.

Discussion

Sokemen held most land where the strength of lordship was weakest. Factors determining the strength of lordship were diverse and included the type of landholder predominating in a village and various topographical and environmental characteristics that might influence how attractive the village appeared to lords. There could be significant differences in social structure between villages located within close proximity to one another. It may be possible to identify two types of village – those on highly desirable land, held by a single lord (or by very few lords) and with little or no land held by independent sokemen, and those located on less desirable land, with a number of lords, and where a considerable proportion of land was held by independent sokemen. These local distinctions helped to create broader regional distinctions. In south Cambridgeshire, there were a significant number of villages where lordship was strong and where no independent sokemen were recorded in 1066. This region thus was associated with low levels of landholding by independent sokemen – although there were some villages there where independent sokemen held a significant proportion of the land. Distinctions between villages were not static, however. Change might take place in response, for example, to the land market or to the strategies by which different lords gave land away to retainers.

This chapter has focused on the distribution of sokemen within a single county. It has not considered the wider distribution of less dependent tenants in England, which is discussed in Chapter Seven. There also was important regional variation in the specific socio-economic conditions of less dependent tenants. Some of this variation was discussed in Chapter Four. Chapter Six investigates these issues further.

Less Dependent Tenants in Sources from the Twelfth and Thirteenth Centuries

Previous chapters have investigated less dependent tenants in the late Anglo-Saxon period using pre-Conquest sources and Domesday Book. These sources are limited by a shortage of specific detail, however, particularly in relation to the customary services that less dependent tenants may have performed. This chapter uses manorial surveys from the twelfth and thirteenth centuries, which contain detailed accounts of the landholdings, rents and other obligations of individual tenants across a number of different manors, to illuminate further the evidence that has already been discussed. This chapter focuses on the counties of Huntingdonshire, Cambridgeshire and Suffolk.

The chapter begins with a discussion of the sources used and the estates studied. It then considers the socio-economic and tenurial position of less dependent tenants in the twelfth and thirteenth centuries, discussing the nature of their landholding, the rents and services that they owed, and the way in which these individuals were categorised in the surveys.

The evidence

This chapter uses evidence from three manorial surveys. These are the c.1250 survey of Ramsey Abbey, which mainly records manors in Huntingdonshire, the Bury *Kalendar* (1186-1191), which provides evidence for Suffolk, and the 1251 survey of the Abbey and Bishopric of Ely (a bishopric was established at Ely in 1109), which focuses on Cambridgeshire.¹ These surveys have been chosen for their detail and comprehensiveness, and because they cover the geographical areas already studied in this dissertation. Although Huntingdonshire has not been considered so far, it is located adjacent to Cambridgeshire and may have shared some similarities in social structure with this county. These advantages outweigh the fact that two of the surveys are of a thirteenth-century date and thus are relatively removed in time from the late Anglo-Saxon period. Most relevant twelfth-century sources, including Peterborough's *Liber Niger* (1125-8), a twelfth-century survey of the East Anglian possessions of the Abbey of Holy Trinity, Caen, and twelfth-century surveys of Burton Abbey, do not focus sufficiently closely on East Anglia.² The Peterborough and Burton cartularies focus primarily on the northern Danelaw, while the survey of Holy Trinity, Caen records only one East Anglian manor.

The c.1250 survey of Ramsey Abbey appears alongside charters and other documents in the *Cartularium Monasterii Rameseia*, originally compiled in the fourteenth century and now available in a printed edition.³ The *Cartularium* also

¹ *Cartularium; Kalendar; Coucher Book*. For an introduction to manorial surveys see Bailey, *English Manor*, ch. 2; Harvey, *Manorial Records*, ch. 2.

² *Chronicon Petroburgense*, ed. Stapleton; Chibnall, *Charters and Custumals of Holy Trinity, Caen; 'Burton Abbey Surveys'*, ed. Bridgeman.

³ *Cartularium Monasterii de Rameseia*, eds. Hart and Lyons, I, 483ff and II, 3ff. See Raftis, *Estates of Ramsey Abbey*, Appendices A and K.

contains a twelfth-century survey from the time of Henry II.⁴ There are two difficulties with this earlier survey, however. First, it constantly refers back to conditions in an earlier period, the time of Henry I, and it can be difficult to ascertain precisely which period different entries relate to. Second, it is less detailed concerning the rents, services and tenurial restrictions of individual less dependent tenants. It is unclear if there is less detail because less dependent tenants owed fewer obligations, particularly labour services, in the twelfth century than they did in the mid-thirteenth century; or if survey makers merely recorded obligations in more detail in the thirteenth century, perhaps because of increased literacy and a greater interest in estate management by this time.⁵ However, since this chapter seeks primarily to understand the situation in the late Anglo-Saxon period and not to trace all tenurial developments across the twelfth and thirteenth centuries, any uncertainty about these issues need not be insurmountable. Provided it is remembered that manorial obligations recorded in the mid thirteenth century may not have corresponded exactly to those typical a century and a half ago, comparisons between the thirteenth and the tenth and eleventh centuries can still be made.

For the Abbey and Bishopric of Ely there exist two surveys of the bishop's demesne manors of 1222 and 1251. Neither is available in full in a printed edition. The survey of 1222 is available in manuscript form in the British Library, while three copies of the 1251 survey exist in the British Library, in the Old Coucher Book in Cambridge University Library and in Caius College Library.⁶ The surveys of certain manors from the 1251 Coucher Book have been translated into English.⁷ This chapter will make use of the copy of the 1251 survey contained within the Coucher Book. Since the majority of

⁴ *Cartularium*, III, 241ff.

⁵ Bailey, *English Manor*, p. 30-1; Dyer, *Lords and Peasants*, pp. 98-103; Harvey, *Manorial Records*, p. 19.

⁶ 1222 survey: London, British Museum, Cotton Tiberius B. ii; 1251 survey: London, British Museum, Cotton Claudius C. xi; Cambridge, University Library, Ely Diocesan Records, Old Coucher Book; Cambridge, Gonville and Caius College, MS 485/489.

⁷ Hartest: Bailey, *English Manor*, pp. 46-58; Tyd: Crosby, 'Manor of Tyd'; Crosby, 'Manor of Wisbech'; Ely: Crosby, 'Ely Episcopal Manor'.

the Ely material is unpublished, it has not been practical to conduct a full and detailed study of the entire estate, and the analysis will be confined to examples from individual manors.

The Bury *Kalendar* was produced between 1186 and 1191, and an extant copy is available in the mid-thirteenth-century *Liber de consuetudinibus monasterii de S. Edmundi*.⁸ The *Kalendar* is most accessible in a printed edition by R.H.C. Davis.⁹ Unlike other surveys studied in this chapter, the *Kalendar* is not a manorial survey, but an inventory of the hundredal revenues and obligations due to Bury St Edmunds from those holding land within its soke.¹⁰ The survey only contains information about those who owed these obligations - the knights and sokemen. More dependent peasants are not included. The survey also omits any feudal rents and obligations that the knights and sokemen might have owed, especially since the abbey was not necessarily the landlord of all the tenants who were recorded there. Some of these tenants may have owed hundredal dues to the abbey and feudal obligations to a lay landlord.

The *Kalendar* divides into two sections. The first (which includes the hundreds of Thedwestry and Thingoe and the double-hundred of Blackbourn) is complete and well organised, while the second (describing the remaining hundreds in the soke) is a rough draft.¹¹ The first part (dated 1186-8) appears earlier than the second (1190-1). This chapter uses evidence from the first part of the survey. For practical reasons, since the survey is long and detailed, this chapter focuses only upon Thingoe and Thedwestry hundreds.

There are three difficulties with the evidence used. First, it is difficult to be certain how the categories of tenant recorded in post-Conquest surveys correspond to those recorded in the pre-Conquest period. In general, those categorised either as free

⁸ Davis, 'Introduction', in *Kalendar*, pp. ix-xi.

⁹ *Kalendar of Abbot Samson*, ed. Davis. See E. Miller, 'Review: The *Kalendar* of Abbot Samson'.

¹⁰ The eight Suffolk hundreds of Thedwestry, Thingoe, Cosford half-hundred, Lackford, Blackbourn double-hundred and Babergh double-hundred. Davis, 'Introduction', in *Kalendar*, p. ix; pp. xi-xv.

¹¹ Davis, 'Introduction', in *Kalendar*, p. xii-xiii.

tenants, sokemen, *hundredarii*, or rent-payers have been taken to be less dependent tenants. Yet it is unclear what the status of the pre-Conquest predecessors of these individuals was. Common law villeinage has been discussed in the Introduction.¹² As noted there, common law definitions of freedom could be arbitrary. Those categorised as free tenants in the thirteenth century might not always have resembled those who would have been regarded as less dependent tenants in the earlier period and vice versa. There also was more general social change in the twelfth century. The social status of some households was elevated in this period, either because of assarting or because their tenancies held by labour services were converted into tenancies held by rent.¹³ While these difficulties do not make it impossible to use late twelfth- and thirteenth-century evidence to understand the pre-Conquest situation, it is necessary to proceed with caution. Particularly important is the existence in the common law period of villein sokemen, a new legal category created in the late twelfth century (see Introduction).¹⁴ Hyams considered that this social category was created to protect tenants on ancient royal demesne from being categorised as true villeins so that the king could continue to collect tallage from them.¹⁵ Others, however, have suggested that villein sokemen were the descendents of sokemen whose status had been depressed following the Conquest, and it has been argued that they probably were not confined to ancient royal demesne.¹⁶ Yet how widely the status of sokemen was depressed following the Conquest is unclear. In Chapter Three, it was suggested that while less dependent tenants in Cambridgeshire

¹² See Introduction, pp. 11-12. Miller and Hatcher, *Medieval England*, pp. 111-33; Hyams, *King, Lords and Peasants*; Vinogradoff, *Villainage in England*; Milsom, *Legal Framework of English Feudalism*; Pollock and Maitland, *History of English Law*, I, 356-83 and 412-32; Faith, *English Peasantry*, ch. 10.

¹³ Miller, *Abbey and Bishopric*, pp. 95ff and pp. 121-6; Raftis, *Estates of Ramsey Abbey*, pp. 71-4 and pp. 83-9; Faith, *English Peasantry*, p. 185; Hallam, 'Eastern England', p. 171; Raftis, 'East Midlands', pp. 195-202.

¹⁴ Introduction, pp. 11-12.

¹⁵ Hyams, *King, Lords and Peasants*, pp. 221-65.

¹⁶ Vinogradoff, *Villainage in England*, pp. 89ff; Joy, 'Sokeright', p. 346; Faith, *English Peasantry*, pp. 261-2; Faith, *English Peasantry*, p. 261.

were forced to rent their lands back from Norman lords they still retained their elevated status in comparison to the more dependent peasantry. The question of villein socage is complex and is returned to later in this chapter. At this stage it is sufficient to note that if villein sokemen can be interpreted as the descendants of less dependent tenants reduced in status after the Conquest, this reduces the extent to which the social situation in the common law period can be compared with that in the pre-Conquest period.

Second, there are several problems associated with the interpretation of the manorial surveys themselves. It can be difficult to identify which of the tenants recorded were less dependent tenants. The Ramsey survey rarely states the social position of the landholders it describes. Less dependent tenants in this survey have been identified by, variously, an absence of extensive labour services, the fact that they held their land freely and not *in villenagio*, and because they fell outside the categories of virgator, border or cottar. The Ely survey lists tenants under discrete headings and employs a varied terminology for their social positions. In the manors studied, those described as *liberi tenentes*, *hundredarii* and *censarii* have been considered to be less dependent tenants. The *censarii*, described by Miller as semi-free, may have been of a lower status than the other categories.¹⁷ Their predominately rent-paying character, however, means that they can still be categorised as less dependent tenants. The difference between these individuals and the others recorded is discussed later in this chapter. All the tenants recorded in the Bury *Kalendar*, except for the knights, were less dependent tenants.

Post-Conquest surveyors did not always record the size of holdings in the same way.¹⁸ Surveys used either the measured acre, which corresponded to a specific area of land measured in perches; the customary acre, which varied locally; or the fiscal acre which was a measure of tax assessment rather than a measure of real area. The Ramsey survey appears to have used customary acres, since the number of acres in each hide and

¹⁷ Miller, *Abbey and Bishopric of Ely*, p. 114.

¹⁸ Bailey, *English Manor*, pp. 23-4; Harvey, *Manorial Records*, pp. 16-17.

virgate varied from manor to manor. The local norm is supplied at the beginning of each manorial entry (although the size of the acre itself probably also varied from place to place). The Bury *Kalendar* probably measured holdings in terms of fiscal acres since the survey was recording hundredal revenues.¹⁹ The Ely survey may use measured acres, referring as it does to the size of the perch used to make up these acres. Precise comparison of holding size between circuits is difficult therefore, although it should be possible to gain a general impression of the different areas of land involved.

A third problem concerns the ecclesiastical nature of the surveys studied. As suggested in Chapter Five, different types of landlord may have been associated with different types of estate management, which may have impacted upon the social structure of the villages where they held land. This is a limitation of the surviving evidence, however, and this chapter should still provide a useful indication of the situation of less dependent tenants in the post-Conquest period.

The Ramsey survey of c.1250 covers land in Cambridgeshire, Norfolk, Northamptonshire, Huntingdonshire and Bedfordshire, and the majority of manors surveyed were in Cambridgeshire and Huntingdonshire. This chapter focuses upon these last two counties. The 1251 Ely survey covers Cambridgeshire, Norfolk, Suffolk, Essex and Huntingdonshire. This chapter considers the evidence in this survey for Cambridgeshire. The *Kalendar* covers the eight and a half hundreds of Bury in Suffolk.

Landholding

On the lands of Ramsey Abbey in Huntingdonshire and Cambridgeshire, the average holding of a less dependent tenant in a single manor was thirty-seven acres. The

¹⁹ Davis, 'Introduction', in *Kalendar*, pp. xxxii-xxxiii.

Ely survey produces similar figures for manors in Cambridgeshire. At Wisbech, the free tenants held on average thirty-seven acres.²⁰ At Tyd, the average holding of a free tenant was twenty-seven acres.²¹ The average area of a holding in the Bury survey was ten acres. There was variation in the size of holdings. At Abbots Ripton in Huntingdonshire, Richard Miles held one hide, while John de Clervaus held half a hide at Upwood, also in Huntingdonshire.²² At Timworth, Suffolk, Alexander son of Reginald held half a carucate of land.²³ At Wisbech, Cambridgeshire, Martin Lytalben held 205 acres.²⁴ At the other end of the scale, Richard Parys and John Freman held eleven acres each at Broughton, Huntingdonshire.²⁵ At Pakenham, Suffolk, Richard Mait held just three acres and Osbert and his brother, four acres.²⁶ At Wisbech there were a number of holdings of just a few acres, including the four acres held by Peter Moberd.²⁷ These statistics correspond well with those obtained from Domesday Book for the Suffolk lands of Bury and Ely and for the Isle of Ely in Cambridgeshire, discussed in Chapter Four.²⁸

Whereas Domesday Book usually provides only the number of (unnamed) freemen and sokemen in a manor and the total area of their holdings, twelfth- and thirteenth-century manorial surveys provide detailed information about the holdings of each individual tenant. From these later sources, therefore, it is possible to understand better the precise distribution of land amongst different less dependent tenants. The averages listed above actually are misleading since they have been skewed by the presence of a small number of especially prosperous landholders. The majority of

²⁰ Coucher Book, ff. 33v-34r; Crosby, 'Manor of Wisbech', pp. 126.

²¹ Coucher Book, f. 42; Crosby, 'Manor of Tyd', p. 64.

²² *Cartularium*, I, 321-2 and 343-4.

²³ *Kalendar*, p. 7.

²⁴ Coucher Book, f. 33v; Crosby, 'Manor of Wisbech', p. 126.

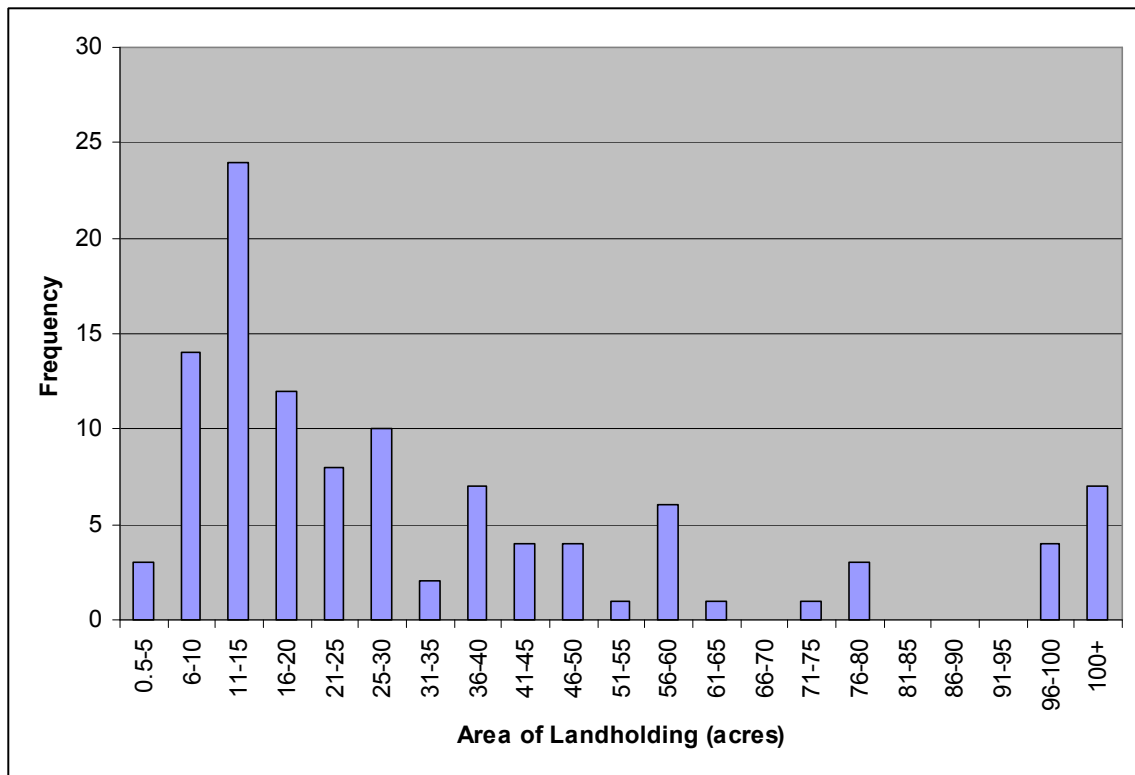
²⁵ *Cartularium*, I, 333-4.

²⁶ *Kalendar*, p. 9.

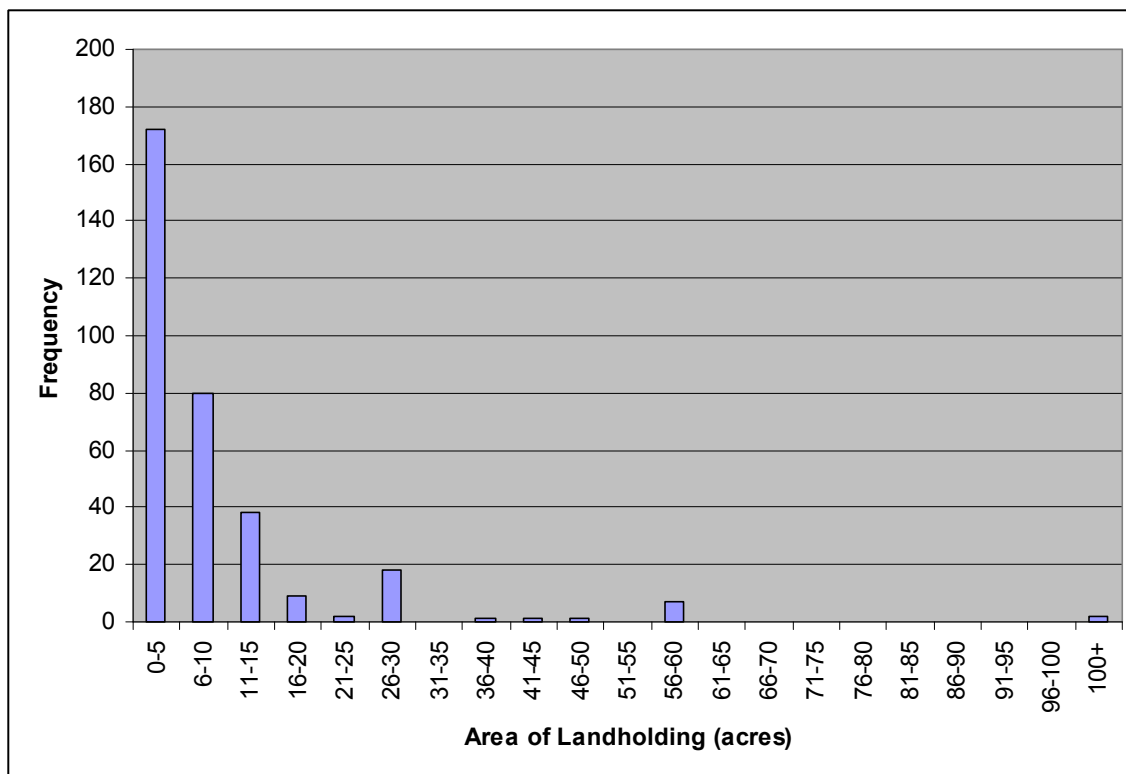
²⁷ Coucher Book, f. 34r; Crosby, 'Manor of Wisbech', p. 126.

²⁸ Chapter Four, pp. 147-8.

tenants held far less land than is apparent. The median holding in the Ramsey survey was only eighteen acres. The median in the Bury survey was five acres. The economic status of less dependent tenants on the Huntingdonshire and Cambridgeshire lands of Ramsey was highly varied and there was significant inequality between individuals. Graph 6.1 shows that most less dependent tenants on the lands of Ramsey held between eleven and fifteen acres. Approximately equal numbers held six to ten acres, sixteen to twenty acres, twenty to twenty-five acres and twenty-six to thirty acres. Very few held five acres or fewer. A relatively large number held more than thirty acres. By contrast, most less dependent tenants recorded in the *Kalendar* (see Graph 6.2) held five acres or fewer and the frequency with which landholdings of different sizes were recorded decreased steadily as the areas of land increased. Very few of the less dependent tenants recorded in the *Kalendar* held more than thirty acres.



Graph 6.1: The frequency with which landholdings of less dependent tenants of different areas were recorded in Huntingdonshire and Cambridgeshire in the c. 1250 survey of Ramsey Abbey.



Graph 6.2: The frequency with which landholdings of less dependent tenants of different areas were recorded in Suffolk in the late twelfth-century Bury Kalendar.

It might appear that less dependent tenants typically held more land in Huntingdonshire and Cambridgeshire than in Suffolk. Two points must be noted, however. First, since the acres recorded in the *Kalendar* were fiscal, rather than customary or measured acres, the average acreage on the lands of Bury actually may have been slightly larger than it would appear (although the figure is still likely to have been small).²⁹ Second, the acreages given may indicate the fragmentation of holdings rather than individual prosperity. In particular, the averages were based on the total

²⁹ Davis, 'Introduction', in *Kalendar*, p. xxxiii.

holdings of individual tenants within the same manor or village and do not take account any additional holdings which tenants may have possessed elsewhere. It has been possible to reconstruct from the *Kalendar* and the *Cartularium* the total holdings of certain individuals who held land in more than one of the villages recorded within these surveys, but only a small number of tenants could be traced in this way. There are other ways in which individuals may have acquired additional land but these are more difficult to trace. The *Kalendar* only records the socage land of less dependent tenants, but many also may have possessed demesne land farmed out from a manor of Bury or another lord, or they may have held customary land.³⁰ The Ramsey survey only records holdings within the manors of Ramsey Abbey. Less dependent tenants may have held additional land in the manors of other lords. There is, however, a limit to the quantity of undetectable additional holdings that less dependent tenants might have had, especially since the number of individuals that *can* be found holding land in more than one village is relatively low. The average holding sizes quoted may only be slightly lower than they were in reality, therefore.

The fragmentation of holdings within the same village or manor is more easily detectable and appears to have been relatively common. Since fragmentation was, as will be seen, an important feature the villages studied, it may be fruitful to consider this phenomenon in some detail before looking more closely at holding size. While some fragmentation is apparent in the Ramsey and Ely surveys, it is most typical of the Bury *Kalendar*. Here it is possible to find not only a large number of very small individual holdings, often of only one or two acres, but also a significant number of holdings shared between as many as eight individuals.³¹ In Chapter Four it was suggested that fragmentation resulting in very small holdings may have resulted from partible

³⁰ Davis, 'Introduction', in *Kalendar*, p. xxxiii.

³¹ For example, the three holdings (in Broughton) of Ralph of Broughton and his associates, *Cartularium*, I, 333-4 and the holding of Mabel and Emma Duckett in Wisbech, Coucher Book, f. 34r; Crosby, 'Manor of Wisbech', p. 126.

inheritance or the land market. It is difficult to detect holdings that had already been partitioned through inheritance by the time of the surveys, but it is possible to find land held jointly by siblings in both the *Kalendar* and the *Cartularium*. Gilbert and his brother Richard held part of fifteen acres in Fornham Saint Genvieve, Suffolk.³² The heirs of William son of Humphrey held one virgate in Warboys, Huntingdonshire.³³ Partible inheritance was much more common in Suffolk than in Huntingdonshire, however, and the majority of evidence for the practice comes from the *Kalendar* alone. Many of the Bury holdings were recorded as being held jointly by *parcenarii* or *socii*. In Hessel, William Moregrim and his *parcenarii* held thirty acres.³⁴ Although the term *socii* does not specifically imply kinship, this does not mean that such groups of associates could not have been related, since the survey was concerned primarily to record the *tenurial* relationship between individuals. It is unclear how these shared holdings were farmed in reality. It is possible that they had been already physically partitioned and were listed as integral holdings in the *Kalendar* only for purposes of assessment for rents and services.³⁵ Alternatively, the tenure may have been *in paragio* – as indeed is implied by the term *parcenarii* – meaning that the rent from the partitioned holding was paid by a single heir while his younger siblings held the land as his tenants.³⁶

How far was partible inheritance on the lands of Bury in Suffolk responsible for the small size of the landholdings recorded in the *Kalendar*? It is clear that that the repeated division of land among co-heirs would lead individual holdings to decline gradually in size.³⁷ Indeed, the equal division of land plausibly might have led to precisely the distribution described in Graph 6.2, which shows that most tenants

³² *Kalendar*, p. 8.

³³ *Cartularium*, I, 308.

³⁴ *Kalendar*, p. 13.

³⁵ Williamson, 'Norfolk: Thirteenth-Century', esp. pp. 48-9.

³⁶ Joy, 'Sokeright', p. 382; Faith, *English Peasantry*, p. 137.

³⁷ Dodwell, 'Medieval East Anglia', p. 61; Williamson, 'Norfolk: Thirteenth-Century', pp. 40-1.

recorded in the *Kalendar* held very small holdings of approximately similar size. In regions such as Huntingdonshire and Cambridgeshire where partible inheritance was not the norm, one might expect to find larger holdings and greater inequality between individual tenants. In theory at least, the main family holding in such regions remained intact in the hands of a single individual, while non-inheriting siblings as a consequence could be forced to take on much smaller holdings or might have held no land at all. It has been suggested, however, that partible inheritance may not have been as significant in practice as might be thought. The number of surviving sons in a generation often was relatively small and holdings did not always need to be partitioned.³⁸ The land market was used to supplement small holdings and to dispose of holdings that were too small to be useful.³⁹ Heirs did not always come forward to claim their share of the land.⁴⁰ A further important point concerns the applicability of post-Conquest inheritance patterns to those that existed in the pre-Conquest period. Faith has argued that, as far as one can tell from the surviving evidence, partible inheritance may have been the normal form of inheritance practiced by the peasantry throughout England in the pre-Conquest period and that primogeniture developed primarily after the Conquest.⁴¹ If this is the case, then inheritance practices can only be used to explain differences in the size of holdings in Suffolk, Huntingdonshire and Cambridgeshire which occurred after the Conquest. The differences already apparent at the time of Domesday and discussed in Chapter Four might not be so readily explained in this way. It should be noted, however, that the evidence for pre-Conquest inheritance practices is limited and one cannot rule out the development of primogeniture in certain regions before the Conquest. Furthermore, the inheritance practices of the aristocracy (virtually the only group for which good

³⁸ Smith, 'Families and their Property', pp. 38-68; Schofield, 'Market in Free Land', pp. 288-9.

³⁹ Smith, 'Families and their Property', pp. 38-68; Schofield, 'Market in Free Land', pp. 288-9; Baker, 'Open Fields and Partible Inheritance', pp. 19-20; Williamson, 'Norfolk: Thirteenth-Century', pp. 42-3 and pp. 44-5.

⁴⁰ Williamson, 'Norfolk: Thirteenth-Century', pp. 43-4.

⁴¹ Faith, 'Peasant Families and Inheritance Customs', pp. 78ff.

evidence concerning inheritance in the pre-Conquest period is available) may not always have reflected those of the peasantry. While individuals who possessed a large number of holdings might have distributed their lands amongst various beneficiaries, such a practice may not always have been appropriate for a peasant family dependent upon a single holding that would be most useful if kept intact.

The land market also may have been responsible for some of the fragmentation noted. While the land market may have been driven to some extent by partible inheritance itself, as individuals bought more land to supplement small inherited holdings or sold below-subsistence holdings, other factors, in particular the increasingly commercial nature of the East Anglian economy are likely also to have been important.⁴² In all the surveys under discussion it is possible to find less dependent tenants who had either acquired more than one holding in the same village or, occasionally, who had acquired land in several different villages. In Wisbech, Martin of Lytalben had acquired one holding of 80 acres, another of 120 acres, and a third of 5 acres.⁴³ In Rushbrook, Suffolk, Jordan held a share of one acre and a share of two acres.⁴⁴ In Broughton, Huntingdonshire, Ralph of Broughton held a quarter of a virgate, a share of two virgates and a share of one and a half virgates.⁴⁵ In Thurston, Suffolk, a tenant named Scotland held two acres.⁴⁶ He also held three separate holdings of fifteen acres, nineteen acres and five acres in Rushbrook.⁴⁷ In Huntingdonshire, Thomas *Cocus* held two separate holdings of one virgate and one and half virgates in Broughton, and two virgates in Wistow.⁴⁸ The land market allowed some tenants to acquire significant areas of land at the expense of others. Thomas Clervaus assembled his large holding of more than half a

⁴² See Introduction, pp. 16-18 and Chapter Seven, pp. 284-6.

⁴³ Coucher Book, f. 33v; Crosby, 'Manor of Wisbech', p. 126.

⁴⁴ *Kalendar*, p. 22.

⁴⁵ *Cartularium*, I, 333-4.

⁴⁶ *Kalendar*, p. 11.

⁴⁷ *Kalendar*, p. 21.

⁴⁸ *Cartularium*, I, 334 and 355

hide at Upwood from the lands of at least five others.⁴⁹ He had acquired thirteen selions, without warrant, from four villeins.⁵⁰

It is clear that an active land market had existed in East Anglia from at least the late tenth century, and that it was having an impact on the social structures and patterns of landholding in individual villages from this time.⁵¹ The differing patterns of landholding in Suffolk and in Cambridgeshire and Huntingdonshire illustrated by Graphs 6.1 and 6.2 would suggest that these developments may have proceeded differently in Suffolk than in Cambridgeshire and Huntingdonshire. In Suffolk, most less dependent tenants held similarly sized, very small, holdings and few held significant areas of land. Although the total area of land held by the average tenant was probably larger than that suggested by Graph 6.2, this may not have affected the overall pattern of landholding greatly. In Huntingdonshire and Cambridgeshire, there was more variety in the size of landholdings, and a larger number of individuals held considerable areas of land. The largest landholding in a single village in Cambridgeshire and Huntingdonshire was, at around 270 acres, also much larger than that recorded in Suffolk (around 180 acres). At the same time, the greater fragmentation of landholdings in Suffolk would suggest that more land transactions had taken place in this county than in the others studied. This difference between Huntingdonshire and Cambridgeshire on the one hand, and Suffolk on the other, is discussed further in Chapter Seven.⁵²

The landholding of less dependent tenants in the early post-Conquest period was highly complex. Individual tenants in the same village held widely different amounts of land. Most held relatively little land while a few individuals might be considered substantial landholders. There had been considerable fragmentation of landholdings, partly because of partible inheritance, but also due to the land market. Less dependent

⁴⁹ *Cartularium*, I, 343-4. '*tenet...tresdecim selliones iuxta Rokesgrave sine waranto; quas quatuor villani prius tenere solebant*'.

⁵⁰ *Cartularium*, I, 344.

⁵¹ Chapter Two, pp. 77-89.

⁵² Chapter Seven, pp. 276-7.

tenants could hold more than one separate holding in the same village, and might also hold land in several different villages. To illustrate the complexity this might have caused, Thomas *Cocus* was known in Broughton as Thomas *Cocus* of Wistow despite the fact that at the time of the Ramsey survey he actually held more land in Broughton than in Wistow.⁵³ It is possible that he was originally from Wistow but had acquired additional land in Broughton at a later date. The level of fragmentation was greater in Suffolk than it was in Huntingdonshire and Cambridgeshire.

Forms of tenure also might vary. At Wisbech, Bartholomew son of Adam was listed amongst the free tenants and amongst the ‘semi-free’ *censarii*.⁵⁴ John de Clervaus had acquired in addition to his free holdings the lands of several villeins in Upwood, Huntingdonshire.⁵⁵ Some less dependent tenants sublet their land to the dependent peasantry. The Ramsey survey mentions the tenants in Upwood of both Alexander *Monachus* and John de Clervaus.⁵⁶ Subletting is also found in the much earlier survey of Burton Abbey (1114-1118), which records the tenants of the rent-payer, Orm.⁵⁷ Similarly, some less dependent tenants leased land from higher-status landholders. In addition to his other holdings, Scotland leased nineteen acres of land from Robert of Cokefield in the Suffolk village of Rushbrook.⁵⁸

It is probable that this evidence reflects in some respects the situation in the pre-Conquest period, and might, in particular, help to contextualise the complex landholding of freemen and sokemen recorded in Domesday Suffolk. The variety of landholders and landholdings noted in Chapter One also might be clarified. The ability of different kinds of tenants to hold the same kinds of land might, for example, help to explain the ambiguity of *gafolland*, held apparently by less dependent tenants and by *geburas*.

⁵³ *Cartularium*, I, 330.

⁵⁴ Coucher Book, f. 33v and f. 35v; Crosby, ‘Manor of Wisbech’, p. 126 and p. 129.

⁵⁵ *Cartularium*, I, 334 for Broughton and 355 for Wistow. See Williamson, ‘Norfolk: Thirteenth Century’, pp. 64-5 for the holding of villein land by free tenants and of free land by villeins.

⁵⁶ *Cartularium*, I, 343.

⁵⁷ Lennard, *Rural England*, p. 376; Bridgeman, ‘Burton Abbey Surveys’.

⁵⁸ *Kalendar*, p. 21.

Subletting to the dependent peasantry already has been discussed in Chapters One, Two and Four.⁵⁹

Before concluding this section, it is necessary to note the tenure by which less dependent tenants held their lands in the post-Conquest period and the relationship between this and pre-Conquest landholding. In the post-Conquest period, the majority of less dependent tenants held their lands *in socagio*. In his twelfth-century *De Legibus*, Glanvill distinguished several different kinds of fiefs (*feoda*).⁶⁰ These included *feoda ecclesiastica*, held by the church, and *laica feoda*, of which *feoda militaria* and free *sochagia* were important sub-types. Glanvill also discussed *burgagia* (urban property) and serjeanty tenure. Socage land could be held by a range of different people of different statuses and it was possible for individuals to hold socage land alongside land held by other forms of tenure.⁶¹ Principles associated with the tenure included specific inheritance practices (including partible inheritance in certain regions), a fixed relief related to the land's value, and immunity from certain feudal rules and payments.⁶² However, since such a wide variety of people could hold socage land, and since they could hold this land for a variety of reasons, socage land could also be subject to market-based rents and various labour services.⁶³

The identification of socage land as a specific, named, tenure may be a post-Conquest development. Socage tenure does not appear in surviving pre-Conquest documents and the incidents of socage are first recorded in Glanvill's late twelfth-century *De Legibus*.⁶⁴ Socage tenure is discussed by Glanvill in the context of developments that had occurred primarily after the Conquest, including the creation of

⁵⁹ Chapter One, pp. 33-4; Chapter Two, p. 67; Chapter Four, pp. 148-9.

⁶⁰ Reynolds, *Fiefs and Vassals*, pp. 354-5. For socage tenure see also Joy, 'Sokeright', pp. 375-8; Faith, *English Peasantry*, pp. 136-7, Pollock and Maitland, *History of English Law*, I, 291-6 and II, 269-70.

⁶¹ Pollock and Maitland, *History of English Law*, I, 294-6.

⁶² Joy, 'Sokeright', pp. 376-8; Reynolds, *Fiefs and Vassals*, p. 355.

⁶³ Pollock and Maitland, *History of English Law*, I, 291-2.

⁶⁴ Joy, 'Sokeright', p. 376.

knight's fees. Is it possible, however, that socage tenure in its post-Conquest form reflected the landholding of less dependent tenants in the pre-Conquest period? According to Faith, socage land was the post-Conquest representation of the way in which the tenants of what she terms the warland (in her interpretation, land that was assessed for public obligations, owed military service and was held by relatively independent peasants) held their land.⁶⁵ The reality of the pre-Conquest warland as described by Faith has been questioned, however.⁶⁶ The kind of land that she describes, although still associated with greater peasant independence, may instead have been characterised by a variety of socio-economic and tenurial relationships. Land with such various characteristics could not easily have formed the basis for socage tenure, which was specific and defined. Moreover, it should be noted that some (although not all) of the distinctive characteristics of socage tenure, in particular exemption from the lord's control of wardship and marriage, actually evolved over the twelfth and thirteenth centuries and were not associated with the tenure in its original form.⁶⁷ Rather than representing a survival of pre-Conquest principles, therefore, socage tenure may have only gradually developed the characteristics which made the tenure appear 'freer' than others. One might suppose that socage tenure originally incorporated wardship and marriage because less dependent tenants were associated with similar lordly controls before the Conquest. Indeed, less dependent tenants and sokemen can be found owing *merchet* in the twelfth and early thirteenth centuries, although this might still reflect the development of post-Conquest socage tenure and not earlier conditions. This problem is difficult to resolve, but the lack of correlation between socage tenure and any specific pre-Conquest tenure probably is sufficient to suggest that land held *in socagio* does not reflect directly the pre-Conquest tenure of less dependent tenants. It also should be noted that the tenurial position of some pre-Conquest less dependent tenants corresponds most

⁶⁵ Faith, *English Peasantry*, pp. 136-7; chs 4 and 5.

⁶⁶ Pratt, 'Taxation and Manorial Structures', p. 41.

⁶⁷ Reynolds, *Fiefs and Vassals*, pp. 368-9.

closely with post-Conquest serjeanty tenure (in the case of those who held land in return for royal service) or tenure by knight service (in the case of the *cnihitas* who held land from the bishop of Worcester).⁶⁸

Rents and services

This section begins with the rents and services due from the tenants recorded in the Bury *Kalendar* and attempts to connect these with the position of less dependent tenants holding land in the soke of Bury. It goes on to consider how the social position of less dependent tenants in the common law period compared with that of those recorded in the pre-Conquest period.

The soke of Bury

According to the *Kalendar*, the hundredal money payments due from those in the soke of Bury were hidage (*hidagium*), *warpeni*, sheriff's aid (*auxilium vicecomitis*) and, occasionally, *averpeni*. Payments were roughly proportional to the land held. Fifteen acres usually rendered between fifteen and seventeen pence of hidage (paid at the rate of approximately one penny an acre), one or two *warpeni* and one penny of sheriff's aid.⁶⁹ *Warpeni* and *averpeni* were commutations of guard service and carrying service.⁷⁰

⁶⁸ For serjeanty tenure, see Kimball, *Serjeanty Tenure*. For less dependent tenants and royal service, see Lavelle, "All the King's Men?"

⁶⁹ Douglas, *Social Structure*, p. 106.

⁷⁰ Davis, 'Introduction', in *Kalendar*, pp. xxxv-xxxvi.

Sheriff's aid was a gratuity to the sheriff, owed to the abbot in the eight and a half hundreds since it was he and not the sheriff who administered the soke.⁷¹ According to Davis, hidage was an ancient public payment separate from the geld.⁷² Davis came to this conclusion because the Bury *Kalendar* records a separate assessment for the geld, based not on carucates as hidage assessments were, but on the sum that each village should pay towards the geld when the hundred paid one pound. This geld assessment was organised through a network of leets, discussed in Chapter Seven.⁷³ The geld paid by a hundred was divided equally amongst the leets, and was in turn divided between the vills making up each leet. The total sums paid by individual villages in hidage often differed from those that the same villages, according to the *Kalendar*, paid through the system of leets and hundreds.⁷⁴ It is now thought very likely, however, that hidage did represent the geld and a number of convincing explanations have been put forward for the existence of two separate assessment systems for the geld in Suffolk.⁷⁵

Hidage was connected by Davis with the payment recorded in the pre-Conquest period as *gafol*.⁷⁶ Davis argued that the hidage recorded in the *Kalendar* corresponded to *gafol* as paid by Kentish tenants holding in gavelkind and, by extension, to *gafol* as paid by other tenants in the pre-Conquest period.⁷⁷ In this view, *gafol* was a public payment especially associated with the sokeman. The equation of hidage with the geld thus usefully supports the arguments already made Chapter One that in reality *gafol* as used in late Anglo-Saxon documents on estate management primarily meant 'rent'. Theoretically, it might be suggested that even if the two terms did not refer to the same

⁷¹ Davis, 'Introduction', in *Kalendar*, p. xxxiii.

⁷² Davis, 'Introduction', in *Kalendar*, pp. xxxvii-xxxviii.

⁷³ See, Campbell, 'Hundreds and Leets', esp. pp. 157-8, Davis, 'Introduction', in *Kalendar*, pp. xv-xvi.

⁷⁴ Davis, 'Introduction', in *Kalendar*, pp. xxxvii.

⁷⁵ Douglas, *Social Structure*, pp. 102-3; Maitland, *Domesday Book and Beyond*, pp. 430-1; Campbell, 'Hundreds and Leets', p. 163; Vinogradoff, *English Society*, p. 145; Finn, *Eastern Counties*, pp. 108-10 and p. 117; Pratt, 'Taxation and Manorial Structures', p. 23. See also, Harvey, 'Taxation and the Economy' and Nielsen, *Customary Rents*, pp. 116-20.

⁷⁶ Davis, 'East Anglia', p. 33. See Chapter One, pp. 48-53.

⁷⁷ Davis, 'East Anglia', p. 33.

ancient render, *gafol* and hidage were still equivalent in the sense that they both referred to the geld. This cannot be correct either, however. The geld was not levied until 1012, yet *gafol* appears in the record before this date. Moreover, a c.1051 writ of Bury St Edmunds exempts the inland of that institution from ‘heregeld and from every other *gafol*’ (*eghwilc oðer gaful*).⁷⁸ Here, *gafol* (being used in the general sense of ‘render’) is clearly distinguished as separate from the geld. It was noted in Chapter One that *gafol* could mean either ‘rent’ or ‘tribute’, depending on the context, and its appearance in this Bury writ need not be connected with its appearance in documents concerning estate management where ‘rent’ is the more likely meaning. The above conclusions support arguments made throughout this dissertation that less dependent tenants did not have a specific connection with the king or with public service. Neither *gafol* (meaning rent) nor hidage (meaning the geld) was a public payment connected specifically with less dependent tenants. This especially may be the case if, as recently argued, the inlands of estates, held in a lord’s own right and populated primarily by dependent peasants, were not systematically exempted from the geld in the pre-Conquest period.⁷⁹ A very wide range of individuals might have been expected to contribute towards the geld.

Some of the hundredal revenues recorded in the *Kalendar* appear in Domesday Book, which also records the sum that each village was expected to pay towards the geld according to the system of hundreds and leets.⁸⁰ *Warpeni* and *averpeni* can be compared with the guard-service and carrying-service that were owed to the sheriff and required of sokemen in Cambridgeshire and some other counties.⁸¹ Indeed on the Isle of Ely in the post-Conquest period a group of tenants similar to those recorded in the *Kalendar* and known as *hundredarii* were recorded. These individuals held land measured in fiscal acres (*ware* acres), made a regular payment known as *sixtepeni* to the hundred at the rate

⁷⁸ Harmer, *Writs*, no. 15 (S 1075).

⁷⁹ Pratt, ‘Taxation and Manorial Structures’.

⁸⁰ Davis, ‘Introduction’, in *Kalendar*, pp. xv-xxv.

⁸¹ Chapter Four, pp. 163-6.

of twelve pence for a hide, and owed *warpeni* together with other payments and labour services.⁸² The *Kalendar* may reveal how the services recorded in the Cambridgeshire Domesday were performed in practice. Guard-service in the soke of Bury normally was commuted, and was only occasionally performed in reality. Two sokemen in Hasset and Beyton performed guard-service in the town of Bury St Edmunds.⁸³ These individuals, who held sixty acres each, were substantial landholders. It would seem, therefore, that guard-service was required in person only of those who had the resources to perform it. A similar situation probably existed in Domesday Cambridgeshire, and this would be in keeping with the variety of social roles and economic conditions that might be associated with less dependent tenants. High-status services owed towards a lord, such as those performed by the *geneat*, probably were associated only with the more prosperous less dependent tenants.

A number of the rents and services recorded in the *Kalendar* are less clearly identifiable as hundredal. The sokemen were expected to pay *gersuma pro filiabus*, known elsewhere as merchet and paid on the marriage of a daughter.⁸⁴ Although this would be considered a test of villeinage by the thirteenth century, it was due from sokemen elsewhere in the twelfth century, particularly on the estates of Peterborough.⁸⁵ *Foddercorn* (a provision of oats to feed horses) was regularly paid, and in one village, Stanton, a payment of chickens and eggs was mentioned.⁸⁶ Labour services are only mentioned in the surveys of thirteen villages, in all but one in conjunction with payments of *averpeni*.⁸⁷ These consisted primarily of mowing but also of ploughing and reaping. All these rents and services may have had their origins in public obligations owed to the

⁸² For *hundredarii*, see, for example, Coucher Book, ff. 26v-27r (Doddington); ff. 17v-18r (Wilburton); ff. 20v-21r (Linden); Davis, 'Introduction', in *Kalendar*, pp. xli-xliii; Miller, *Abbey and Bishopric of Ely*, p. 117.

⁸³ *Kalendar*, p. 13. '*faciunt gardam in villa sancti Eadmundi*'.

⁸⁴ Davis, 'Introduction', in *Kalendar*, p. xxxvii.

⁸⁵ Davis, 'Introduction', in *Kalendar*, p. xxxvii.

⁸⁶ *Kalendar*, p. 37.

⁸⁷ For example at Pakenham (*Kalendar*, p. 8) and Bradfield Saint George (*Kalendar*, p. 17).

king. Occasional boon works similar to those described in the *Kalendar* were sometimes owed by Kentish tenants in gavelkind to the lord of the lathe.⁸⁸ Various Domesday entries refer to miscellaneous customary payments rendered to the hundred.⁸⁹ Yet there is little evidence that such services and payments were regular and universal public obligations in the pre-Conquest period. The Domesday folios for Cambridgeshire do not mention any other royal services aside from carrying-service, guard-service, escort-service and the provision of watchmen. General hundredal customary payments are not common in Domesday Book. Descriptions of a wide range of regalian dues do not appear in pre-Conquest charters conferring sake and soke, although it is possible that they were assumed. Pre-Conquest records such as the *Rectitudines* or the Tidenham survey do not mention any public payments save for Peter's Pence. The miscellaneous hundredal rents and services recorded in the *Kalendar* were not typical elsewhere in the post-Conquest period either. The public payments commonly recorded in the thirteenth-century Hundred Rolls were scutage, hidage, sheriff's aid and *warpeni*.⁹⁰

It may be that certain, possibly archaic, public payments that were not typically demanded had been turned into regular payments within the soke of Bury so that they could be exploited as a regular source of revenue or labour. This raises the question of how such a situation came about. The imposition of less typical and less clearly regalian rents and services may have been a post-Conquest development. It has been suggested that the holders of some ecclesiastical sokes used the circumstances of the Domesday inquest to reinforce or exaggerate the rights that they held.⁹¹ The rights specified in the *Kalendar* may have been acquired as part of this process, either at the time of the Domesday inquest or more gradually over the years following. The abbot of Bury just as

⁸⁸ Jolliffe, *Pre-Feudal England*, pp. 32 and 65; Davis, 'Introduction', in *Kalendar*, p. xlvi.

⁸⁹ For example, those listed at Davis, 'Introduction', in *Kalendar*, p. xlii. See also DB, II, 291.

⁹⁰ Kosminsky, *Agrarian History of England*, p. 162. See Nielsen, *Customary Rents*, chs. 6 and 7 for a summary of known public payments.

⁹¹ Wormald, 'Lordship and Justice'; Baxter, 'Representation of Lordship'; Baxter, 'Lordship and Commendation'.

easily may have obtained these additional rights before the Conquest, however. Although there is no evidence for such payments and services before 1066, there is no evidence that they were newly introduced in the late eleventh- or twelfth century either. The *Lex Equitandi*, written in the tenth-century, imposes universal requirements for service, including some agricultural services, upon the tenants of the Bishops of Worcester.⁹² Clearly the *Lex Equitandi* was dealing with a relationship of landlordship rather than soke, but these two types of lordship may not always have been easily separable. The abbot of Bury was not the only landlord in his soke of eight and a half hundreds, but he was the main landlord. Obligations which typically might have been required of the abbot's tenants easily could have been extended to include all of those holding land within the abbey's territorial soke.

While tenants preferred to commend themselves to a different lord to the lord whose soke they were in, less dependent tenants in the soke of Bury typically were commended to the abbey as well. In Chapter Four, it was suggested that this may have been related to the strongly territorialised nature of Bury's soke combined with the dominance of Bury as a landlord in the eight hundreds, meaning that there were few alternative lords for those holding land within the soke to commend themselves to. The absence of alternative lords similarly may have allowed Bury to demand a wide range of payments and services from those holding land in the abbey's soke. Some soke lords might thus have possessed in practice considerably more power than merely the right to receive the profits of justice.⁹³ This also may suggest an additional reason why tenants preferred to commend themselves to a lord who did not have their soke - the need to avoid additional exactions. The obligations of the *hundredarii* on the Isle of Ely might

⁹² B 1136; Brown, *Norman Conquest*, no. 163 (S 1368).

⁹³ For the basic importance of rights connected with the administration of justice, see, for example, Wormald, 'Lordship and Justice', pp. 129-30; Baxter, *Earls of Mercia*, pp. 210-11; Joy, 'Sokeright', p. 419; Hadley, *Northern Danelaw*, pp. 168-9. For additional power possessed by soke lords, see Wormald, 'Lordship and Justice', p. 113; Baxter, 'Lordship and Commendation'; Baxter, 'Representation of Lordship'; Reynolds, *Fiefs and Vassals*, p. 340.

suggest that a similar situation existed in the soke of the two hundreds of Ely at the time of Domesday.⁹⁴

Less dependent tenants in the common law period and before

The legal position of less dependent tenants in relation to the more dependent peasantry in the common law period was different from that which had existed previously, and if the villein sokemen were the descendents of pre-Conquest sokemen, the situation may have been even more complex. Social developments as a result of assarting and landlord policy have already been discussed in this chapter, while Faith, on the contrary, has suggested that some individuals may have fallen into a more dependent position during the twelfth century.⁹⁵ It is interesting therefore that many of the basic social and economic distinctions between less and more dependent tenants did not change significantly between the pre-Conquest period and the common law period.

At Ramsey in the thirteenth century, the dues and payments made by free tenants varied from person to person. Money payments often included hidage, and usually sheriff's aid and *warpeni*. In many cases a rent was paid, '*pro terra*'. Other cash payments included *pontagium*, for the upkeep of bridges, *pannagium*, for the right to pasture pigs and *wodehac*, possibly for taking wood from a forest. Certain tenants also owed tallage and merchet. Like merchet, tallage has been considered a servile payment, but Douglas has pointed out that free tenants paying tallage can be found even in the second half of the thirteenth century.⁹⁶ Payments in kind were uncommon and usually consisted of chickens and eggs. Most tenants were required to attend at least the autumn

⁹⁴ Miller, *Abbey and Bishopric of Ely*, pp. 116-19.

⁹⁵ Faith, *English Peasantry*, pp. 215-8; Faith, 'Demesne Resources and Labour Rent'.

⁹⁶ Douglas, *Social Structure*, pp. 75-8.

boonworks, but many needed to do more in the form of further boonworks, ploughing and carrying services. Seven out of the twenty-six villages contained at least one landholder who owed a form of week-work for part of the year.⁹⁷ Most, but not all, of the Ramsey tenants owed suit of court and this was always to the court at Broughton, the seat of the barony of the abbots of Ramsey from the early twelfth century.⁹⁸ View of frankpledge was recorded only infrequently.⁹⁹ In almost all of the villages, this was applied to a significant free tenant and the unspecified tenants holding under him. This requirement may have been included since by the mid-thirteenth century the view of frankpledge was one of the few sessions of the manorial court that free tenants were required to attend.¹⁰⁰

Similar rents and services were recorded in the 1251 Ely survey. All less dependent tenants paid money rents, and for many, this was all that they owed for their holding. The main money payments included tallage, *warpeni* and *gersuma*. Payments in kind included chickens and eggs. Labour services were light and usually included attendance at the autumn boonworks, carrying service and occasional mowing and ploughing. Most tenants owed suit to the hundred court, and many owed suit to the manorial court as well. The rents and services recorded in the Bury *Kalendar*, although these were ostensibly hundredal, were of a similar character, as those in other manorial surveys, including those from the abbeys of Caen, Burton and Peterborough.¹⁰¹

These rents and services compare well with some of those expected of the pre-Conquest *geneat*. Particularly important is the emphasis upon rent rather than labour services, and the fact that the labour services that were performed typically were limited

⁹⁷ For example, *Cartularium*, I, 293ff (Holywell); 230ff (Broughton); 340ff (Upwood); 370ff (Wyton); 397ff (King's Ripton); 404ff (Ringstead); 412ff (Brancaster); 354ff (Wistow).

⁹⁸ VCH Hunts, I, 158-64.

⁹⁹ For example, *Cartularium*, I, 295-6 (Holywell); 332-3 (Abbot's Ripton); 348 (Upwood); 284-5 (St Ives).

¹⁰⁰ Douglas, *Social Structure*, pp. 138-9.

¹⁰¹ *Chronicon Petroburgense*, ed. Stapleton; *Charters and Customals of Holy Trinity, Caen*, ed. Chibnall; 'Burton Abbey Surveys', ed. Bridgeman

to seasonal boonworks. The blurring of the conditions of some less dependent tenants with those of some more dependent peasants in the post-Conquest period also echoes the pre-Conquest situation. Dependent virgators on the Ramsey lands were required to provide certain money renders, including sheriff's aid, tallage and merchet, but the bulk of dues were in kind. These included renders of chickens, eggs and oats. Labour dues were extensive. A virgator at Holywell was required to attend three boonworks a year (most freemen attended only one), to work for two weeks before and after the harvest, and to perform unspecified work according to his lord's wishes two days a week for part of the year. This was in addition to more general carrying, digging, ploughing and sowing duties, which required him to be available at any time his lord might request his services. Both the virgators and the free tenants paid a mixture of money rents, renders in kind and labour services, therefore. Both kinds of tenant performed labour services which included boonworks; the virgators performed week-work as well (although it should be noted that some free tenants on the lands of Ramsey did even this). The overlap between the obligations and conditions of free and unfree peasants meant that the legal status of tenants sometimes could be difficult to determine.¹⁰²

Indeed many of the characteristics associated with less dependent tenants in the pre-Conquest period became important markers of free status in the common law period. Faith has discussed the frequency with which twelfth- and thirteenth-century peasants used the obligation to perform boonworks, and, crucially, no other significant services, as a proof of free status.¹⁰³ Characteristics that became associated with free status by the later twelfth century may have arisen not only as a result of legal change, therefore, but also out of tenurial and economic distinctions which were already important more than one hundred years before.

¹⁰² Hyams, *King, Lords and Peasants*, pp. 175-82. Faith, *English Peasantry*, pp. 262-3.

¹⁰³ Faith, *English Peasantry*, pp. 259-60.

Villeinage also was associated, importantly, with restricted access to the public courts. It would seem, however, that such restrictions were already becoming important in the late eleventh century, before the concept of villeinage had formally developed. Suit of court was one of the most important obligations recorded in the *Bury Kalendar*.¹⁰⁴ Suit of court may derive from the pre-Conquest requirement, enshrined in the laws of Cnut, that all free men (that is those who were not slaves) over the age of twelve needed to be in a tithing.¹⁰⁵ The *Leges Henrici Primi*, possibly reflecting pre-Conquest practice, required those in tithings to assemble twice a year in the hundred court.¹⁰⁶ Regular meetings of the public courts were attended by no one below the level of the village reeve, except where both a lord and his steward were absent.¹⁰⁷ In this case the lord was represented by the reeve, the priest and four of the better men of the village.¹⁰⁸ In the pre-Conquest period, therefore, suit of court may have been owed twice a year by those in tithings (all free men), while the better men of a village and the village reeve (almost certainly less dependent tenants) could be summoned at any time. References to the ‘better men’ of the village or the hundred are found throughout the *Libellus*. It also would seem, however, that larger groups of individuals could be summoned on occasion, possibly when their testimony was required by a lord. The *Libellus* records that one dispute was resolved though the testimony of more than one thousand men.¹⁰⁹ The relationship between such incidents and the prescriptions noted in the *Leges* is unclear. Possibly, the prescriptions were applied flexibly according to

¹⁰⁴ For the importance of courts, see Faith, *English Peasantry*, pp. 116-21; Williams, *Norman Conquest*, pp. 158-9; Raftis, *Estates of Ramsey Abbey*, pp. 47-8. Chapter Two, pp. 94-7.

¹⁰⁵ II Cnut 20. On tithings in the Anglo-Saxon period see Wormald, ‘Frankpledge’; Morris, *Frankpledge*, pp. 10-14; Pratt, ‘Written Law and the Communication of Authority’, esp. pp. 341ff. See also Crowley, ‘Later History of Frankpledge’; Schofield, ‘View of Frankpledge’.

¹⁰⁶ LHP, ch. 8,1.

¹⁰⁷ LHP, ch. 7,2; 7,8..

¹⁰⁸ LHP, ch. 7,2; 7,8. ‘*quattuor de melioribus uille*’.

¹⁰⁹ LAE ch. 35; LE ch. 25.

circumstance. The *Leges* also may be recording practices that had only developed after the late tenth century.

In the Bury *Kalendar*, the knights were listed alongside the sokemen and both groups performed suit of court. Attendance, importantly, was largely based on status. The knights attended the court at each meeting, while the sokemen (presumably less important as suitors) attended only according to a rota.¹¹⁰ The precise frequency with which individual sokemen attended is unclear; the *Kalendar* records only that each sokemen attended the court in turn. On this detail, however, the evidence of the *Kalendar* contradicts that of the *Leges*. According to the *Leges*, heads of tithings should attend twice a year and only the ‘better men’ at other times. Could it be that all less dependent tenants, by virtue of their social status, were counted amongst the ‘better men’ of the village? Yet it would seem from other sources that in some cases to attend the hundred court was possible only if one possessed a sufficient amount of property. A writ of William II commanded that men in the soke of Bury should attend the shire and hundred courts only if they fulfilled a property qualification, a rule that apparently dated to the time of Edward the Confessor.¹¹¹ In Fersfield, Norfolk at the time of Domesday those who had more than thirty acres of land attended the hundred court while those who had less attended the manorial court.¹¹² On the lands of Shaftesbury Abbey in the twelfth-century, only those with more substantial holdings (usually between half a hide and one hide) owed suit of court.¹¹³ It has been suggested that these more substantial individuals, and not less dependent tenants in general, were the ‘better men’ of the village referred to in the *Leges*.¹¹⁴ Indeed, the use of property as a qualification for attending the public courts is not surprising. The tract *Gebyncþo* records that in the pre-

¹¹⁰ For example, *Kalendar*, p. 3: ‘terra Mathei et terra Umfridi debent sequi quolibet hundredum, sokemanni vero secundum turnum suum’.

¹¹¹ Douglas, *Feudal Documents*, no. 16. Cited in Harmer, *Writs*, p. 476 and Rafts, *Estates of Ramsey*, p. 47 n. 97.

¹¹² DB, II, 130v. Cited in Raftis, *Estates of Ramsey Abbey*, p. 47 n. 97.

¹¹³ Williams, *Norman Conquest*, p. 160.

¹¹⁴ Williams, *Norman Conquest*, p. 160.

Conquest period a property qualification of five hides was needed if a ceorl was to succeed to the rank of thegn.¹¹⁵ The sokemen on the lands of Bury in the twelfth century could not have fulfilled any serious property qualification, however. This is in direct contradiction to the prescriptions of the writ of William II concerning the soke of Bury and described above. It is difficult to resolve such contradictions. It may be that the requirements of the Bury writ had ceased to be important by the late twelfth century. Although similar property qualifications were recorded elsewhere, it may be that difficult rules applied in different places. In any case, the use of property qualifications in relation to suit of court, where applied, may have allowed lords to exercise greater control over their tenants. It may have been perceived that only those of a significant socio-economic position might be useful as suitors. Possibly, less prosperous individuals might have lacked (or their lord might not have allowed them) the free time necessary to travel to the hundred court.

Commentators also have discussed the tendency in the eleventh and twelfth centuries for lords to keep records of their dependent tenants (including those who had left the manor) and to seek to recover by legal means those that had left without permission.¹¹⁶ Finally, it is notable that less dependent tenants are referred to in Domesday Book and in at least two pre-Conquest documents as ‘free’ (*liberi homines*, *fremannen* or *fre socne men*).¹¹⁷ All peasants who were not slaves were free in the legal sense, but less dependent tenants were perceived somehow to be more ‘free’, as they were free also in the economic and tenurial sense. The use of the terminology of freedom to describe these individuals in the pre-Conquest period and to distinguish them from the more dependent peasantry may be important. It is possible that certain obligations already at this early stage were being associated with ‘freedom’, and certainly they denoted a distinct social (but not yet legal) status.

¹¹⁵ Chapter One, p. 56-7.

¹¹⁶ Faith, *English Peasantry*, pp. 245-51; Hyams, *King, Lords and Peasants*, pp. 224ff.

¹¹⁷ Whitelock, *Wills*, no. 24 (S 1527); Harmer, *Writs*, no. 85 (S 1129).

One further point might be made in respect to the rents and services described in the Ramsey and Ely surveys. First, contrary to what was suggested in Chapter One, very few of the less dependent tenants at Ramsey and Ely in the thirteenth-century owed any 'high-status' duties.¹¹⁸ It is possible to find only a few examples of individuals of this type. The last name of one tenant in Houghton, William Horseman, might suggest some role in hunting or message-carrying, whilst a man in King's Ripton, Nicholas le Stalkere, may have played a role in hunting.¹¹⁹ In the Peterborough survey there is recorded a sokeman who did service with a horse.¹²⁰ Some administrative staff in the service of Ramsey and Ely were established on grants of land provided by the abbey.¹²¹ It is probable that only a relatively small proportion of more prosperous less dependent tenants in the thirteenth-century performed higher-status services, whilst the majority paid rent or carried out agricultural work similar in character to that required of the more dependent peasantry. This situation also may have existed in the pre-Conquest period and earlier sources may focus disproportionately upon high-status obligations. This supports the observations made in Chapter Four and earlier in this chapter that most less dependent tenants were not prosperous and indeed could not have performed high-status obligations.

Categories of less dependent tenant

It is difficult to distinguish different categories of less dependent tenant in the surveys discussed in this chapter. The *Kalendar* refers to freemen (*liberi homines*) and

¹¹⁸ Hadley, *Northern Danelaw*, p. 184.

¹¹⁹ *Cartularium*, I, 365 (Houghton); 398 (King's Ripton).

¹²⁰ Lennard, *Rural England*, p. 380.

¹²¹ Raftis, *Estates of Ramsey Abbey*, pp. 47-51; Miller, *Abbey and Bishopric of Ely*, p. 124.

sokemen, but it does not use these two terms consistently. The tenants in eleven villages are described specifically as sokemen, *liberi homines* is used even less frequently, and most often no specific status is recorded at all. The less dependent tenants at Great Livermere are called sokemen in the summary list of villages at the beginning of the survey but *liberi homines* in the main text.¹²² The Ely survey lists less dependent tenants under a number of headings, including *hundredarii*, *libere tenentes* and *censarii*. The placing of these groups within the survey is neither clear nor consistent, however. The *libere tenentes* might appear either as a category on their own, or under a joint heading with, variously, the *hundredarii* (at Doddington and Wimblington), the *censarii* (at Stretham), or even the knights (at March).¹²³ The association of free tenants and knights echoes the difficulties involved in determining the precise statuses of thegns and *cnihtas* in the pre-Conquest period. In the Ramsey survey, no distinctions are made between any of the recorded tenants and, as discussed earlier, it can be difficult even to distinguish the free tenants from the villeins.

This confusion might echo the variety of less dependent tenants that could exist and the imprecision with which different social categories were distinguished and identified, which has been a theme throughout this dissertation. However, in all three surveys studied in this chapter, it is possible to divide the less dependent tenants recorded into two main groups. The Bury *Kalendar* frequently describes certain individuals as holding either '*liberius aliis*' or '*de alto socagio*'.¹²⁴ The two terms appear to have been equivalent and seem to have referred to a more privileged group than the ordinary less dependent tenants; they were not required to pay *gersuma*, and they did not pay *averpeni* or perform labour services even if these were required of other tenants in

¹²² *Kalendar*, p.3 and p.5.

¹²³ Coucher Book, ff. 26v-27r (Doddington); ff. 14v-15r (Stretham) and f. 30 (March).

¹²⁴ For example, at *Kalendar*, p.5 (Great Livermere); p.6 (Ameton); p.6 (Timworth); p.10 (Thurston); p. 13 (Hesset and Bekton); p. 17 (Rougham); p. 21 (Rushbrooke); p. 17 (Bradfield); p. 20 (Great and Little Welnetham); p. 29 (Whepstead); p. 30 (Horringer); p. 43 (Sapiston); p. 46 (Rickinghall); p. 50 (Weston).

the manor. They usually held more land than other tenants, and they paid their dues to the abbot rather than to ‘the reeve’ (presumably of the manor in question).¹²⁵ It might have been considered a privilege to deal directly with the abbot’s own administrative staff, who probably did not have had the resources to receive the dues from more than a limited number of landholders.

In the Ramsey survey, it is possible to distinguish between ordinary less dependent tenants and those whose position was less privileged. At Houghton only one hide was described as ‘free’ (*libera*).¹²⁶ Of the remaining hides, three virgates were held by Marsilia and William Horseman. They paid tallage and merchet ‘*cum villanis*’ and performed some labour services (mainly ploughing and attendance at boon-works). The rest of the land in the village was held in ‘*puro villenagio*’. Similar situations can be seen at Hemingford, Brancaster and Cranfield.¹²⁷ The exact status of these less privileged tenants is unclear, but it would appear at least that they were free. At King’s Ripton they were referred to as ‘sokemen’, and two of these individuals (at Halliwell and Broughton) were recorded with the last name *Freman*.¹²⁸ They also held irregular holdings and owed relatively light obligations. A similar distinction might be made between the *censarii* on the lands of Ely, who owed rents and labour services, and the other less dependent tenants, who tended to owe lighter labour services, or nothing save for a money rent.

What might lie behind these two categories of less dependent tenant? Douglas attributed the existence of a second category of less dependent tenants to the depression of sokemen following the Conquest (referring in particular to a group described as ‘molmen’).¹²⁹ In Chapter Three, it was argued that sokemen may not have been widely

¹²⁵ For example, *Kalendar*, pp. 5-6 (Great Livermere): ‘*Iste Johannes tenet liberius aliis: dat filias suas sine gersumio. Relevum illius est domini Abbatis, non prepositi*’.

¹²⁶ *Cartularium*, I, 364-5.

¹²⁷ *Cartularium*, I, 381; II, 6.

¹²⁸ *Cartularium*, I, 398; 297-8 and 334.

¹²⁹ Douglas, *Social Structure*, pp. 82-90.

depressed in status following the Conquest, however.¹³⁰ Miller has argued that individuals who obtained more independent tenurial conditions only in the twelfth century (as a result of assarting or landlord policy) might constitute the second group of less dependent tenants.¹³¹ In this interpretation, only the higher-status group contained the descendants of the Domesday sokemen and freemen. A further possibility is that the two categories reflect the difference between free sokemen and villein sokemen, recently developed during the common law period. It is, however, unclear whether villein sokemen could have held land from Ely and Ramsey and so widely in the soke of Bury, since it is unclear whether or not they were confined to land in ancient demesne.¹³² Even if villein sokemen are represented in the surveys studied, the significance of this would not be clear, since, as noted earlier in this chapter, the origin of villein socage has itself been the subject of some debate.¹³³

The interpretation of these different categories of less dependent tenant poses two related difficulties, therefore. First, the origins of the two categories, that is, whether they are a reflection of the distinction between villein socage and free socage or something else, is unclear. Second, if the distinction can be related to villein socage, the ultimate meaning of villein socage is itself unclear. Importantly, it is possible to connect the two categories of less dependent tenant observed in the post-Conquest period with similar distinctions already observed in the pre-Conquest period. The distinctions between the post-Conquest categories correspond well to the clear distinctions between ‘freemen’ and ‘sokemen’ on the Domesday lands of Bury St Edmunds that were discussed in Chapter Four.¹³⁴ Indeed, it is possible to connect the tenants holding *de alto socagio* recorded in the *Kalendar* with two of the characteristics used in Chapter Four to distinguish between freemen and sokemen. In Chapter Four, it was noted that freemen

¹³⁰ See Chapter Three, pp. 129-33.

¹³¹ Miller, *Abbey and Bishopric of Ely*, esp. pp. 127-8.

¹³² See p. 206 above.

¹³³ See pp. 206-7 above.

¹³⁴ Chapter Four, pp. 166-71.

were more likely to be recorded in Domesday Book holding land independently of a manor. In sixty-four percent of the villages where tenants were recorded holding *de alto socagio* in the *Kalendar* there were less dependent tenants holding independently of a manor at the time of Domesday. It was also noted in Chapter Four that freemen were less likely to owe suit to the lord's fold. Equally, in only twenty-one percent of the villages where tenants held *de alto socagio* in the Bury *Kalendar* did less dependent tenants owe suit to the lord's fold. Finally, it was suggested in Chapter Five that there was an association between the number of lords connected with a village and the proportion of less dependent tenants who held land there. Of the villages where tenants held *de alto socagio* in the *Kalendar*, seventy-nine percent were of divided lordship at the time of Domesday. It is thus possible to connect the more independent conditions of tenants holding *de alto socagio* in the twelfth century with more independent conditions in the pre-Conquest period, and to connect the distinction between ordinary less dependent tenants and those who held *de alto socagio* with that between freemen and sokemen on the lands of Bury St Edmunds at the time of Domesday.

It is unlikely, therefore, that the distinctions between tenants holding *de alto socagio* and ordinary sokemen on the lands of Bury in the twelfth century, and, possibly, also the distinctions between the two different kinds of less dependent tenants noted on the lands of Ramsey in the thirteenth century, originated solely in changes that had taken place in the post-Conquest period. It is possible, at least on the Suffolk lands of Bury, to distinguish two categories of less dependent tenant already in the pre-Conquest period. Clearly, the depression in status of some less dependent tenants in the post-Conquest period (although there is little evidence for a general depression in status), together with improvements in the conditions of some dependent peasants, might have affected the composition of these two groups of less dependent tenants over time. In this respect, the arguments of Douglas and Miller may carry some validity. Some families whose members might have been categorised as 'freemen' in the pre-Conquest period may

have fallen to the status of 'sokemen' in the post-Conquest period and been classified amongst the lower-status less dependent tenants, as Douglas suggested. Alternatively, dependent peasants who had gained improved conditions are more likely to have been similar to those individuals that would have called 'sokemen' in the pre-Conquest period than to 'freemen', as Miller suggested. Yet, critically, the two categories of less dependent tenant were much older than Douglas and Miller suggested and did not come into being as a result of post-Conquest developments.

There is no reason why older distinctions should not have influenced the later distinction between villein socage and free socage. Even if the immediate reason for the creation of villein socage was political expediency, as Hyams argued, the decision may have been aided by the pre-existence of two recognisable categories of less dependent tenant. As already discussed, it appears that the growth of villeinage as a legal concept was strongly influenced by existing socio-economic and tenurial realities.

It would seem that while a variety of different individuals might be described as less dependent tenants, in certain contexts the group divided naturally (at least in the minds of those who sought to categorise them) into two distinct types. This division may have been fundamental and long-lasting, continuing into the post-Conquest period.

Discussion

As already suggested in Chapters One, Two and Four, less dependent tenants could hold tenancies of widely varying areas, and the patterns of landholding within individual villages and manors could be complex. This chapter also has revealed how land was distributed amongst the different less dependent tenants in a village or manor, showing that this distribution could be very unequal and that the majority of tenants were relatively poor. Those less dependent tenants who possessed large holdings and

owed high-status services, and who were discussed at length in Chapter One, are prominent in the pre-Conquest documentation but in reality probably formed only a minority of the population. There could be considerable fragmentation of holdings within villages and manors, and this fragmentation was more pronounced in Suffolk than in Cambridgeshire and Huntingdonshire. It was possible to find tenants with more than one holding in the same village or who held land in several villages. Tenants held various different types of land from various different sources.

The Bury *Kalendar* reveals the extent to which soke lords were able to impose customary services on those who held land within a territorial soke, even if these were not typical hundredal dues. This is important as the role played by soke lords may explain some local differences in the status of less dependent tenants, particularly the relatively depressed status of sokemen in the soke of Bury at the time of Domesday.

A comparison of the situation of less dependent tenants in the late twelfth and thirteenth centuries with that of those in the pre-Conquest period would suggest that some of the fundamental social and economic characteristics of this group were incorporated into definitions of free status in the common law period. It would appear that the distinction between sokemen and freemen discussed in Chapter Four may have been of considerable importance and may have persisted to some extent in the post-Conquest period.

Chapter Three showed that regional differences in the distribution of less dependent tenants and in the terminology used to describe them may have been exaggerated in Domesday Book. In both this chapter and in Chapter Four, however, it has been suggested that real differences in social structure existed between Suffolk and Huntingdonshire and Cambridgeshire. So far, however, these differences have not been discussed in detail. These differences, and the wider differences between East Anglia and 'English' England, will be examined in the next chapter.

East Anglia and ‘English’ England

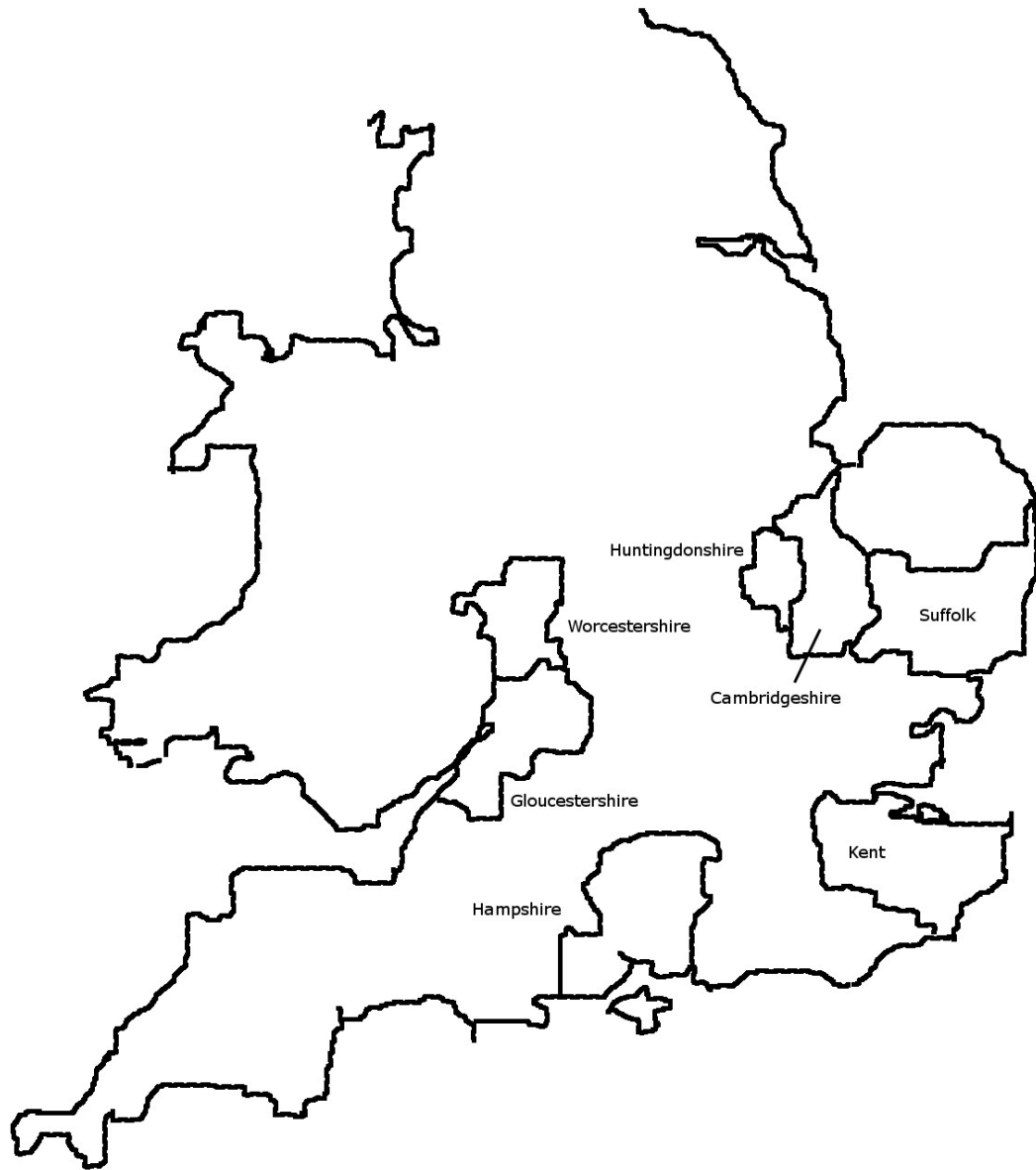
Throughout this dissertation, it has been noted that the social structure of East Anglia as recorded in Domesday Book differed substantially from that recorded for much of the ‘English’ counties of England, that is, those that did not fall within the Danelaw. In Chapter Three, it was suggested that these differences were exaggerated by deficiencies in the Domesday evidence. This does not mean, however, that no differences at all existed between East Anglia and ‘English’ England. This chapter investigates what these differences may have been, and attempts to explain the regional distinctiveness of East Anglia.

The main part of the chapter focuses on three regional case studies using the evidence of Domesday Book and, where appropriate, additional evidence from the pre- and post-Conquest periods. The case studies are Worcestershire and Gloucestershire, Kent, and, more briefly, Hampshire. A group of less dependent tenants known as *radmen* or *radcnihtas* were recorded in Worcestershire and Gloucestershire. Good records also exist for these counties in the form of the tenth- and eleventh-century leases of the bishop of Worcester and the twelfth-century *Red Book of Worcester*.¹ Kent is interesting because the social structure of this county may have been similar to that of East Anglia, despite its location outside the Danelaw. A writ relating to land in Hampshire contains

¹ *Red Book of Worcester*, ed. Hollings. For the leases see Chapter One, pp. 41-5, esp. p. 41, n. 41.

the only pre-Conquest reference to sokemen. Hampshire is also one of the counties for which Domesday Book records the ministerial tenures of the king's thegns.² The relationship between East Anglia and the northern Danelaw also is considered in this chapter. Although these two regions had much in common, and are often discussed as a single unit – both are associated with high numbers of freemen and sokemen in Domesday Book and a fragmented manorial structure – there also were some differences between the two. In order to understand how and why the social structure of East Anglia may have differed from that of 'English' England, it is necessary to understand how a similar social structure could be associated with a region that was in many ways rather different. The last part of this chapter reviews some of the suggestions that have been put forward to explain the particular regional character of East Anglia.

² Lavelle, “All the King's Men?”; Williams, *English and the Norman Conquest*, pp. 109-23.



Map 7.1: The West Midlands, Kent, Hampshire, the northern Danelaw and East Anglia

There are two difficulties with this investigation. First, it will be necessary to make considerable use of the Domesday evidence to investigate counties outside East Anglia. Yet it has already been suggested that Domesday Book may under-record less dependent tenants in these counties and thus may not represent their social structure accurately. The only solution is to consider the Domesday evidence on its own terms whilst remaining conscious of its deficiencies. Additional evidence from sources produced both before and after the Conquest may supplement the Domesday evidence. Moreover, it is clear that the Domesday entries for counties in 'English' England are not unreliable in all respects. Information aside from that concerning social structure, for example details of manorial structure, also can provide important indications of the ways in which the social structures of these counties may have differed from that of East Anglia.

Second, 'East Anglia' as defined in this dissertation includes a wide area extending to Cambridgeshire and Huntingdonshire as well as Norfolk and Suffolk, and most of the analysis so far has focused upon Suffolk and Cambridgeshire. It would appear that the social structures of Suffolk and Cambridgeshire were not entirely the same. Cambridgeshire appears to have been the more manorialised of the two, and fewer less dependent tenants may have held land there. Indeed, the social structure of Cambridgeshire may have been closer to that of 'English' England than the social structure of Suffolk was. This makes a comparison between East Anglia and 'English' England rather complex. The approach taken here is initially to compare the evidence for 'English' England with those characteristics that were common, in general, to both Cambridgeshire and Suffolk. The differences between East Anglia and Cambridgeshire are then considered in a later section.

Worcestershire and Gloucestershire

Radnihtas or radmen (the two terms probably were used interchangeably) appear in the Domesday folios for a number of counties in the west of England, including Worcestershire and Gloucestershire.³ Freeman also were recorded in these folios. Radmen probably were high-status peasants who bore many similarities to freemen and sokemen. This section compares the radmen and freemen of Worcestershire and Gloucestershire with the freemen and sokemen of East Anglia, and examines how far the social structure of East Anglia differed from that of the West Midlands. The section focuses upon the pre-Conquest and Domesday evidence. The post-Conquest situation described in the thirteenth-century *Red Book of Worcester* is discussed briefly.

The pre-Conquest evidence

Much of the pre-Conquest evidence for Worcestershire and Gloucestershire has already been discussed in Chapter One. The evidence is reviewed here with a new emphasis upon possible differences between East Anglia and the West Midlands.

Two of the surviving pre-Conquest estate surveys are associated with the West Midlands. The tenth- or eleventh-century Tidenham survey describes an estate in Gloucestershire.⁴ The *Rectitudines* may have been used on estates in Wessex or southern Mercia and it has been linked to Bishop Wulfstan at Worcester.⁵ The tenancies and

³ As evidence that the terms *radnihtas* and radmen were used interchangeably, one manorial entry (DB, I, 166r) mentions the '*radnihtas*, that is freemen'.

⁴ Robertson, *Charters*, no. 109 (S 1555).

⁵ RSP; Bethrum, 'Episcopal Magnificence', Harvey, '*Rectitudines*', pp. 5ff and pp. 20ff.

obligations of tenth- and eleventh-century tenants of the Bishop of Worcester are recorded in a series of contemporary leases and in the *Lex Equitandi*.⁶

Similarities between the *geneatas* and *cnihtas* of the West Midlands and the East Anglian freemen and sokemen may be noted. It was argued in Chapter One that the *geneat* must have held a large area of land and must have had dependent tenants under him and the *cnihtas* of the Worcester leases also held substantial areas of land.⁷ Less dependent tenants in East Anglia also could hold significant areas of land, while freemen and sokemen with *villani* and *bordarii* ‘under them’ are recorded in Domesday Book.⁸ The *Libellus Æthelwoldi* provides examples of high-status services, such as those required of the *geneat* and of the tenants of the Bishop of Worcester, being performed in tenth-century Cambridgeshire.⁹ Post-Conquest manorial surveys relating to East Anglia record agricultural services similar to those performed by the *geneat* and the *cnihtas*.¹⁰ Bequests made to *cnihtas* in East Anglian wills suggest that less dependent tenants in that region might be involved in similar personal relationships of service with their lords as *geneatas* and *cnihtas* were in the West Midlands.

The relationship that less dependent tenants had with estate organisation in the West Midlands may have differed from the situation in East Anglia, however. The Tidenham survey and the *Rectitudines* describe large, well organised estates. The Tidenham estate covered thirty hides and included an inland of nine hides. On a large estate, the duties of the *geneat* easily could have been time-consuming and may have placed considerable limits on his personal freedom. This would have been especially the case if these duties also involved supervising estate personnel as described in *Gerefa*.¹¹ No pre-Conquest surveys survive for East Anglia but less may have been required of

⁶ Chapter One, pp. 41-5.

⁷ Chapter One, pp. 33-4 and pp. 41-2.

⁸ Chapter Two, pp. 67-9; Chapter Four, pp. 147-9.

⁹ Chapter Two, pp. 90-4.

¹⁰ Chapter Six, pp. 227-9.

¹¹ Chapter One, pp. 37-41.

less dependent tenants on the smaller and more fragmented manors in that region. The tenurial conditions of less dependent tenants also may have been more restricted in the West Midlands than in East Anglia. The *geneat* probably held his land in return for the services he owed. He is described alongside the *gebur* and the *cotsetla* as a member of the estate personnel, and he owed, amongst other things, *landgafol* for his holding. The lessees of the Bishop of Worcester held their land in dependent tenure in return for rents and services. Such tenancies also existed in East Anglia. Holdings of reeveland and *earningaland* in East Anglia are mentioned in pre-Conquest wills.¹² Less dependent tenants also might hold land on loan from ecclesiastical institutions in this region. However, there also were apparently independent landholders with perhaps around sixty acres of land on the Isle of Ely in the late tenth century. Small, relatively independent tenancies might be associated with a region of small and fragmented manors. There may have been less room for such tenancies in the West Midlands where a single lord was likely to hold all or most of the land in a village. Where less dependent tenants held significant areas of land in the West Midlands, one may suspect that they could only do so on lease or in another form of dependent tenure from a lord. The above statements may reflect merely the surviving evidence, however. No pre-Conquest estate surveys survive for East Anglia, while there is no equivalent of the *Libellus Æthelwoldi*, with its detailed evidence concerning patterns of landholding in individual villages, for the West Midlands.

It has been suggested that, aside from high-status individuals, in East Anglia there were also many smaller, less prosperous, less dependent tenants.¹³ Did individuals of this kind also exist in the West Midlands? A late-ninth-century or early-tenth-century lease of Worcester grants ‘two hides of land [in Elmstone, Gloucestershire], and the

¹² For example, Whitelock, *Wills*, no. 29 (S 1521) and no. 31 (S 1531).

¹³ Chapter Four, p. 148; Chapter Six, pp. 208-10.

peasants and the Elmstone wood'.¹⁴ The peasants may have been sitting tenants on the two hides of land; it is also possible, as Robertson suggested, that rights over an additional, separate community of peasants were being granted.¹⁵ That this was the case may be indicated by the appearance in the same charter of the 'peasants' copse' (*ða ceorlas graf*), let separately to the lessee by Worcester. The Tidenham survey records that land at Kingston was rented to Welsh boatmen.¹⁶ While the identity of these individuals is uncertain, they probably were independent of the manorial organisation. More specifically, it is noted of Tidenham's holding at Kingston that part was *still* inland (*gyt...inland*) and part was rented to the boatmen. Possibly a decision had been made to take part of the inland out of direct cultivation and instead to rent it, perhaps on a contractual basis, to tenants not normally associated with the manor. The appearance of the *gafolgelda* alongside the *gebur* in Ine's law code also suggests that semi-independent, rent-paying tenants held land in 'English' England.¹⁷

Domesday Book

All the manors in Worcestershire and Gloucestershire with radmen or freemen in their recorded populations are studied in this chapter, that is, thirty manors in Worcestershire and thirty-seven in Gloucestershire. These manors were held by various lords in 1086. The main difficulty with this evidence is that information concerning the 1066 situation (as opposed to that in 1086) is limited. Domesday Book does not describe the manorial populations of 1066 in detail and the radmen and freemen present in 1066

¹⁴ Robertson, *Charters*, no. 16. '*ðæt twega hida lond, and ða ceorlas and se Alhmunding snæd*'.

¹⁵ Robertson, *Charters*, p. 290.

¹⁶ Robertson, *Charters*, no. 109 (S 1555). '*þan scipwealan to gafole gesett*'.

¹⁷ Ine cl 6.3 (Liebermann, *Gesetze*, I, 88-123; EHD, I, no. 32).

were recorded only where they were the antecessors of Norman landholders. Radmen and freemen were recorded moreover on only a small number of the pre-Conquest manors in these counties (on thirteen manors in Worcestershire and two in Gloucestershire), although they were recorded in greater numbers of 1086. These individuals probably were under-recorded for 1066. This may be supported by the fact that a small number of entries in the Gloucestershire folios describe the 1066 situation in detail rather than that in 1086, and the 1066 situation that these entries portray is similar to that recorded elsewhere for 1086, with many radmen recorded.¹⁸ This may indicate that the situation did not change dramatically between 1066 and 1086, and that the detailed manorial populations recorded for 1086 may be a good reflection of the real, unrecorded, situation in 1066. For this reason, this study uses the 1086 Domesday data for Gloucestershire and Worcestershire. This section begins by considering the numbers of freemen and radmen recorded in Worcestershire and Gloucestershire and the areas of land that they held. It then discusses the various ways in which they held land and their distribution.

Before discussing the situation of the radmen and freemen, however, it should be noted that a number of other individuals, including reeves, smiths and miscellaneous ‘men’ who owed money rents, also were recorded in the folios for Worcestershire and Gloucestershire. It is difficult to know what role the reeves had as the term ‘reeve’ could describe a variety of offices in the pre-Conquest period.¹⁹ The association of these reeves with certain manors would suggest, however, that they were manorial reeves, although it is unclear whether they were responsible for a single manor or for several manors. These individuals probably were less dependent tenants. At Alvechurch in Worcestershire, ‘a priest and a reeve and a *radcniht*’ held land alongside the *villani*.²⁰ At

¹⁸ For example, Thornbury and Avening (DB, I, 163v) and Dymock (DB, I, 164r).

¹⁹ For example, Campbell ‘Agents and Agencies’, pp. 21ff. See also the discussion in Chapter One, pp. 37-41.

²⁰ DB, I, 174r.

Northwick, a reeve and a radman held three virgates each.²¹ Moreover, reeves in East Anglia often were drawn from the ranks of the freemen and sokemen.²² It is unclear why reeves were specified separately from radmen in the Domesday entries for the western counties, but possibly this reflected a greater degree of manorialisation in the region. Large and discrete manors would have required full-time resident reeves and it is notable in this respect that the manors studied in Worcestershire and Gloucestershire never had more than one reeve. The more fragmented manorial structure in East Anglia, together with the probability that many tenants paid their rents in cash, may have made such large-scale estate management unnecessary in that region, however. Indeed, many demesnes in East Anglia were so small that freemen and sokemen serving as reeves could have supervised them on an informal and part time basis. Even the manors held by Ely Abbey in Cambridgeshire were relatively small in comparison to the manors recorded in the West Midlands. Two of the largest manors held by Ely, Ely and Wisbech, were each assessed at ten hides with demesnes of five ploughs and two ploughs respectively.²³ Westbury on Trym, Gloucestershire, held by the Church of Worcester, answered for fifty hides and there were eleven ploughs in demesne.²⁴

The situation of the miscellaneous ‘rent-payers’ noted above is less clear. At Evesham, twenty shillings a year was collected in rent from the men dwelling there.²⁵ In Doynton, there were two men paying five shillings.²⁶ These rent-payers probably were less dependent tenants who had little connection to the manor and in this respect were different from the radmen and reeves. It may be that, while much of the west was heavily manorialised, there were nevertheless some more independent individuals, possibly residing at some distance from the manor. Perhaps these tenants had obtained

²¹ DB, I, 173r.

²² Chapter One, p. 39.

²³ DB, I, 192r.

²⁴ DB, I, 164v.

²⁵ DB, I, 175v.

²⁶ DB, I, 165r.

their land through assarting and had not been incorporated into the manorial organisation. The Welsh boatmen discussed in the previous section may have been set apart from the manor because they were involved primarily in fishing or trading. The ceorlas who held land in Elmstone wood (also discussed earlier) may have lived at some distance from a manorial centre.

To return to the evidence for radmen and freemen, there were far fewer radmen and freemen recorded in Worcestershire and Gloucestershire than there were freemen and sokemen recorded in Suffolk. There were 126 radmen and 21 freemen in Gloucestershire and 40 radmen and 3 freemen in Worcestershire in 1086. There were 7,753 freemen and 859 sokemen in Suffolk in 1086.²⁷ The number of sokemen recorded in Cambridgeshire in 1086 (only 126) is identical to the number of radmen recorded in Gloucestershire for that period. But it has been shown that sokemen were severely under-recorded in Cambridgeshire in 1086 and it is unclear if the same was true for Gloucestershire.²⁸ The number of sokemen recorded in Cambridgeshire in 1066 also was much higher (probably around 800 heads of households).²⁹ There were differences in overall recorded population between Worcestershire, Gloucestershire and Suffolk, with Suffolk being apparently far more densely more populated than Worcestershire and Gloucestershire. However, even when these differences are taken into account, there were still far more freemen and sokemen recorded in Suffolk than there were radmen and freemen recorded in the two western counties. The total recorded population of Suffolk was 19,070 heads of households, meaning that sokemen and freemen formed forty-five percent of the recorded population in 1086. The recorded populations of Gloucestershire and Worcestershire were, respectively, 8,249 and 4,604 heads of households, meaning that radmen and freemen formed only 0.02 percent of the recorded population in Gloucestershire and merely 0.009 percent of that in Worcestershire in

²⁷ For all 1086 figures discussed in this paragraph see Darby, *Domesday Geography*, pp. 338-43.

²⁸ Chapter Three, pp. 129-33.

²⁹ Chapter Three, p. 129.

1086. The difference cannot be made up by the reeves and other 'men' recorded in the western counties. There were sixty of these in Gloucestershire, bringing up the total percentage in the population of those who may have been less dependent tenants to just 0.03 percent; and just thirteen in Worcestershire, increasing the percentage of less dependent tenants in the population to 0.01 percent. These differences in population between Suffolk, Worcestershire and Gloucestershire may result from the under-recording of radmen and freemen in the west. It is also possible, however, that real differences in social structure had a role to play.

The percentages of radmen and freemen in the populations of individual manors in 1086 also were much less than those typically associated with freemen and sokemen. The mean percentage of radmen and freemen in the recorded population of each manor in Worcestershire was 7.2 percent. The figure for Gloucestershire was identical. On the Suffolk estates of Bury St Edmunds, freemen and sokemen formed on average 92.1 percent of the recorded population of each manor in 1066. The figure for the estates of Ely Abbey in the same county was 69.1 percent. On the estates of Ely Abbey in Cambridgeshire in 1066, sokemen formed on average 28 percent of the population of each manor.³⁰ This means that the smaller number of recorded freemen and radmen in Worcestershire and Gloucestershire were distributed relatively evenly. If all had been concentrated on just a few manors (as one might expect if they had been widely under-recorded), they would have formed a similar percentage of the manorial population as freemen and sokemen did in East Anglia. In fact, most manors in the west contained only one or two radmen or freemen. This contrasts with the ten or more sokemen that could often be found on Suffolk manors. Moreover, many Suffolk manors had only

³⁰ The figures just quoted are all higher than the percentages recorded across the whole of each county because the mean populations were calculated only across those manors that contained less dependent tenants in the first place. Moreover, freemen and sokemen or radmen were not distributed evenly across the manors in each county. In Suffolk in particular, a significant number of manors had populations that consisted entirely of freemen and sokemen, which would have skewed the results to make the mean manorial population of freemen and sokemen especially high.

freemen and sokemen in their populations. All of this suggests that there really was a more hierarchical social structure in western England than there was in East Anglia. In Worcestershire and Gloucestershire, manors may have been populated primarily by the more dependent peasantry, with a small number of higher-status radmen or freemen. In East Anglia, manors may have consisted of mixed populations of both less and more dependent tenants.

Radmen and freemen in Worcestershire and Gloucestershire also may have held disproportionately large areas of land. Table 7.1 compares the percentages of radmen and freemen in the populations of certain manors with the percentage of land in the manors that they held. Whilst radmen and freemen formed, on average, 4 percent of the population of the manors listed in Table 7.1, they held on average 10.9 percent of the land in each manor. The only manor where the percentage of land held by radmen or freemen was less than the percentage of the population that they formed was Northwick. This anomaly might be explained by the presence of a reeve who held the same area of land (three virgates) as the radman who was recorded. Reeves may have been similar in status to radmen, so this does not affect the results.

Manor	Percentage of radmen or freemen in population in 1086 (%)	Percentage of land held by radmen or freemen in 1086 (%)
Worcestershire:		
Hallow	4.3	29
Northwick	2.4	1.5
Longdon	0.9	4
Peopleton	4.5	9
Severn Stoke	5	7
Mathon	5.7	10

Gloucestershire:		
Westbury on Trym	3.9	16
Bibury	8.3	19
Bishop's Cleeve	1.1	3

Table 7.1: A comparison, for certain manors in Worcestershire and Gloucestershire, the percentages of radmen and freemen recorded in manorial populations in Domesday Book for 1086 with the percentages of land these individuals held in the same manors.

Most entries for 1086 do not specify the area of land that the radmen and freemen held; they simply were recorded alongside the more dependent tenants. It might be argued, therefore, that the freemen and radmen whose holdings were recorded separately held disproportionately large areas of land because they were of unusually high status. In certain manors, however, the numbers of ploughs held by freemen or radmen can be compared with the numbers of ploughs held by the dependent peasants. The number of ploughs a group of tenants held can be used as an indication of the area of land that they held and of their economic condition. Table 7.2 compares, for thirteen manors in Worcestershire and Gloucestershire, the percentage of the ploughs held by each radman or freeman, and the percentage held by each dependent peasant, with the percentages of each type of tenant in the manorial population.³¹ The radmen and freemen had more ploughs per individual than the dependent peasants. Although radmen and freemen formed, on average, only 10.8 percent of the manorial population in Worcestershire and 6.8 percent of that in Gloucestershire, they held on average 20 percent and 15.9 percent of the ploughs in each manor in Worcestershire and Gloucestershire respectively. The dependent peasantry formed, on average, 69 percent of the manorial population in Worcestershire and 71.2 percent of the manorial population

³¹ Slaves are not counted as dependent peasants.

in Gloucestershire, but held on average 60 percent and 56.7 percent of the ploughs in each manor in the two counties. It is unclear if this was the case on those manors for which we are not told even the number of ploughs held by radmen or freemen. However, the percentages of radmen and freemen in the manorial population are similar both in manors where the number of ploughs they held is given, and in those where this is not stated. The distribution of ploughs in both types of manors also may have been similar. The situation in East Anglia was different. At Little Horringer in Suffolk, for example, fifteen sokemen and one *bordar* had three ploughs (0.2 ploughs per individual), while on the same manor, eighteen dependent peasants had five ploughs (0.3 ploughs per individual).³² At Nowton, also in Suffolk, ten sokemen had two ploughs (0.2 ploughs per individual), and twenty dependent peasants had four ploughs (also 0.2 ploughs per individual).³³ There were manors in Suffolk where the freemen or sokemen had significantly more ploughs than the less dependent tenants, but this was by no means typical.

Manor	Percentage of total ploughs held by radmen and freemen in 1086 (%)	Percentage of radmen and freemen in manorial population in 1086 (%)	Percentage of total ploughs held by dependent peasants in 1086 (%)	Percentage of dependent peasants in manorial population in 1086 (%)
Worcs:				
Hallow	15	4.3	74	55
Longdon	2	0.9	67	75
Severn Stoke	13	5	50	78

³² DB, II, 356r.

³³ DB, II, 357r.

Rock Moor	50	33	50	67
Glos:				
Alderton	13	7.1	38	93
Dymock	9	5.9	87	93
Standish	47	18.4	44	61
Glos:				
Westbury on Trym	11	3.9	64	59
Bibury	13	8.3	57	92
Bishop's Cleeve	5	1.1	66	69
Prestbury	26	3.4	59	73
Edgeworth	25	8.3	25	38
Quenington	6	4.7	75	63

Table 7.2: A comparison for certain 1086 Domesday manors in Worcestershire and Gloucestershire of the percentage of the ploughs each freeman and radman held, and the percentage each dependent peasant held, with the percentage of the manorial population that each group formed.

Differences in social structure between East Anglia and the West Midlands may have been related to estate management. As noted above, manors in the West Midlands were larger than those in East Anglia. The manors studied in Worcestershire and Gloucestershire had a mean area of just over thirteen hides and a mean value of eleven pounds in 1086. The mean area of the manors studied in Cambridgeshire, however, was just three hides, and the mean value of the manors of Bury St Edmunds studied in Suffolk was under four pounds. Almost all the manors studied in Worcestershire and

Gloucestershire were held by a single lord. Those in East Anglia were almost always divided between several lords. There also were many more slaves recorded in the west than in East Anglia.³⁴ The larger manors in the western counties probably were run primarily using the labour of more dependent tenants and slaves, while a small number of radmen and reeves may have acted in a supervisory role or carried out high-status services.³⁵ This may have been the model exemplified in the *Rectitudines*, with the *geneat* fulfilling a similar function to the radmen. This might also explain why, in manors where radmen or freemen were recorded, there was commonly one radman to each manor, and also why the mean percentage of radmen and freemen on each manor was identical for both Worcestershire and Gloucestershire. These proportions may have been the most appropriate for such a system of estate management. In East Anglia, there were a large number of small manors and outlying farms, often in divided villages. These were cultivated either by the dependent peasantry or by groups of freemen and sokemen, often with their own *villani* and *bordarii*.

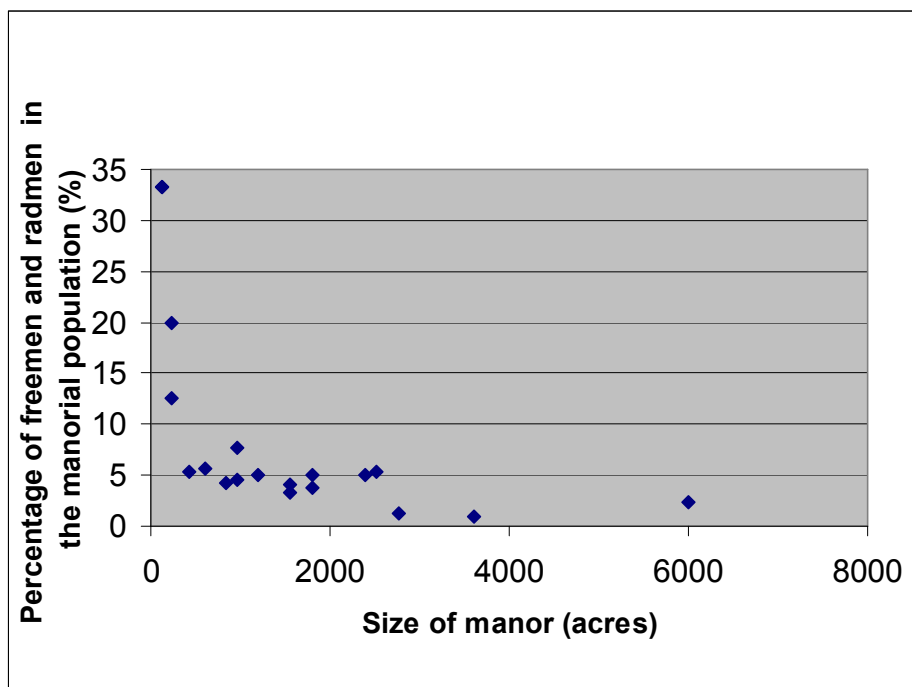
In Worcestershire, the particular system of estate management may have caused the size of a manor to be correlated with the proportion of radmen and freemen in its population. Smaller manors had higher percentages of radmen and freemen in their populations (Graph 7.1). When a correlation coefficient was calculated for the relationship between the area of a manor in acres and the percentage of radmen and freemen in its population, a result of -0.54 with a significance value of 0.002 was obtained.³⁶ If radmen and freemen fulfilled administrative or other duties on a manor, a certain minimum number might have been needed even on small manors. Smaller manors would, for obvious reasons, have had smaller populations of *villani* and *bordarii*, meaning that the one or two radmen or freemen holding land on that manor would

³⁴ Moore, 'Domesday Slavery', pp. 202-3.

³⁵ Harvey, 'Demesne Agriculture', esp. pp. 61-3 and pp. 69-70

³⁶ See Chapter Five, pp. 180-1.

automatically form a higher percentage of the population than would have been the case on a larger manor.



Graph 7.1: The size of Worcestershire manors recorded in Domesday Book for 1086 in acres correlated with the percentages of freemen and radmen in their populations.

The different ways in which freemen and radmen held land in a manor also might be compared with the situation in East Anglia. In East Anglia, sokemen and freemen could be intra-manorial, that is, they were recorded holding land alongside the *villani* and *bordari*; or extra-manorial, that is, their holdings were appended to the end of the main manorial entries and valued separately. The location of radmen and freemen in Domesday entries for Worcestershire and Gloucestershire allows one to suggest a similar distinction between ‘intra-manorial’ and ‘extra-manorial’ freemen and radmen,

with one exception. As the holdings of freemen and radmen were almost never valued separately, the term 'extra-manorial' freeman or radman may be used to describe any individual whose landholding in acres, or number of ploughs, was enumerated separately from the assets held by the dependent peasantry, even if a separate value for the holding was not recorded. The term 'intra-manorial' radman or freemen might be used for any individual listed alongside the dependent peasantry, and for whom no specific information about landholding was provided. 'Intra-manorial' radmen may have been more integrated into the manorial organisation and may have had fewer rights in respect of their land.

There was a connection between the way in which the radmen and freemen held land and the nature of the manor. Whilst almost all the manors in Worcestershire and Gloucestershire were held by a single tenant-in-chief in 1086, several larger manors were divided between several sub-tenants and extended across several villages. 'Extra-manorial' radmen almost always were associated with these manors. In Gloucestershire, all but three of the manors with 'extra-manorial' radmen were divided between several sub-tenants. In Worcestershire, all but two of those with 'extra-manorial' radmen were divided.

There may have been several reasons for this. The pattern of landholding may have been less clear in divided manors, and it may have been necessary to provide more precise information about the situation of the radmen. It also may have been that a divided manor, with several intermediate lords below the tenant-in-chief, allowed the radmen to gain more rights over their land, even if they held all their land from just one sub-tenant. This would suggest a similar situation to that in East Anglia, where villages divided between several manors almost always had a greater percentage of sokemen in their population. Finally, in some, but not all, divided manors, land that had been held by freemen and radmen in 1066 was held by Norman lords as sub-tenants in 1086. The Domesday entries give the names of which 1066 radmen each sub-tenant had obtained

his land from. It is unclear what had happened to these radmen by 1086. It is possible that they now held smaller areas of land and might be found amongst unnamed radmen recorded in 1086. On the other hand, the evidence for the 1086 Cambridgeshire sokemen discussed in Chapter Three might suggest that these radmen, or their descendants, remained on their lands but were not recorded because they held as sub-tenants of the new Norman lords.³⁷ In this second interpretation, the unnamed radmen would represent individuals who had retained full rights over their lands following the Conquest. In any case, the above discussion suggests that radmen and freemen could occupy a range of different socio-economic statuses. This accords with the evidence for freemen and sokmen in East Anglia.

The post-Conquest evidence

The post-Conquest situation on the lands of Worcester Cathedral can be examined through the 1299 survey of the estate, recorded in the *Red Book of Worcester*.³⁸ Four manors were considered in detail – Kempsey, Bredon, Northwick and Wick. While all of these had free tenants in their thirteenth-century populations (forming, on average, forty-one percent of their populations) only Northwick had recorded radmen in 1086. It is unlikely that this particular example is evidence of under-recording in Domesday. Bishop Godfrey Giffard, who had commissioned the survey, had been accused of granting too many manumissions and of leasing out land on too easy terms, a practice adopted because of a surplus of labour. It is for this reason that there were so many free tenants on the lands of Worcester in the thirteenth century and this may not be

³⁷ Chapter Three, p. 132-3.

³⁸ *Red Book of Worcester*, ed. Hollings.

representative of the situation at the time of Domesday. This illustrates the difficulties of using late evidence to illuminate the pre-Conquest situation, but, importantly, it also suggests that such difficulties need not be insurmountable if the context of the later evidence is understood.

The situation on the lands of Worcester in the thirteenth century can be compared with that in East Anglia in two ways. First, although there was some fragmentation of holdings on the lands of Worcester, this was not as extreme as in Suffolk and all the fragmentation that had taken place probably was connected with the land market rather than with partible inheritance. Almost all of the tenants on the lands of Worcester held their lands individually, rather than with co-parceners. Yet it was not uncommon for tenants in Worcestershire to hold several holdings within the same manor and to hold both free and customary land.

Second, the thirteenth-century free tenants on the lands of Worcester owed fewer rents in kind and fewer labour services than less dependent tenants in East Anglia in the post-Conquest period. Almost all owed a cash rent for their land. At Northwick, Cecilia of Perdeswell held one virgate for two shillings per year.³⁹ Hidage was due only from some tenants and it was normally paid in addition to a cash rent. Suit of court was owed in most, but not all, cases and it could vary from attendance at the Worcester shire court, the hundred court of Oswaldslow, or the manorial court, or a combination of these. Labour services were almost never due, except for, very occasionally, boonworks. None of the free tenants studied paid merchet or tallage. This situation probably reflects the particular estate management policies of the Bishop of Worcester and not any intrinsic difference between the West Midlands and East Anglia. The observation is still useful, however, since it highlights the impact that varying policies of estate management could have upon peasant populations. The example of the lands of Worcester in the thirteenth century also shows how regional trends in social structure

³⁹ *Red Book of Worcester*, ed. Hollings, p. 4.

and manorialisation could be disrupted by specific local situations – a possibility already discussed in Chapter Five.

Kent

The situation in Kent is interesting for two reasons. First, sokemen were recorded in this county although it was located outside the Danelaw. Second, the gavelkind tenure of Kent shared many characteristics with that of freemen and sokemen in eastern England. As R. H. C. Davis has suggested, this might lead one to question how far society in the Danelaw was different from that in ‘English’ England.⁴⁰

It is conventionally understood that there were three types of land in Kent.⁴¹ These comprised demesne land, inland (tenant-land within the lord’s right – a particular usage of the term ‘inland’ that may be compared with the *terra villanorum* recorded elsewhere in England – and associated with the dependent peasantry), and the outland or yokeland, the detached portion of a manor where the lord had no property rights and tenure was by gavelkind.⁴² Gavelkind tenure, or the ‘custom of Kent’, only formalised in the post-Conquest period, may have originated in earlier practices.⁴³ Those who held by gavelkind were similar to less dependent tenants in East Anglia – although there is no ‘custom’ comparable to the ‘custom of Kent’ recorded for East Anglia. Tenants in gavelkind owed few labour services except carrying service and occasional boonworks, and, like freemen and sokemen in post-Conquest Norfolk and Suffolk, practiced partible

⁴⁰ Davis, ‘East Anglia’.

⁴¹ Jolliffe, *Pre-Feudal England*, pp. 17-19; Everitt, *Continuity and Colonisation*, pp. 178-9.

⁴² Everitt, *Continuity and Colonisation*, pp. 178-9.

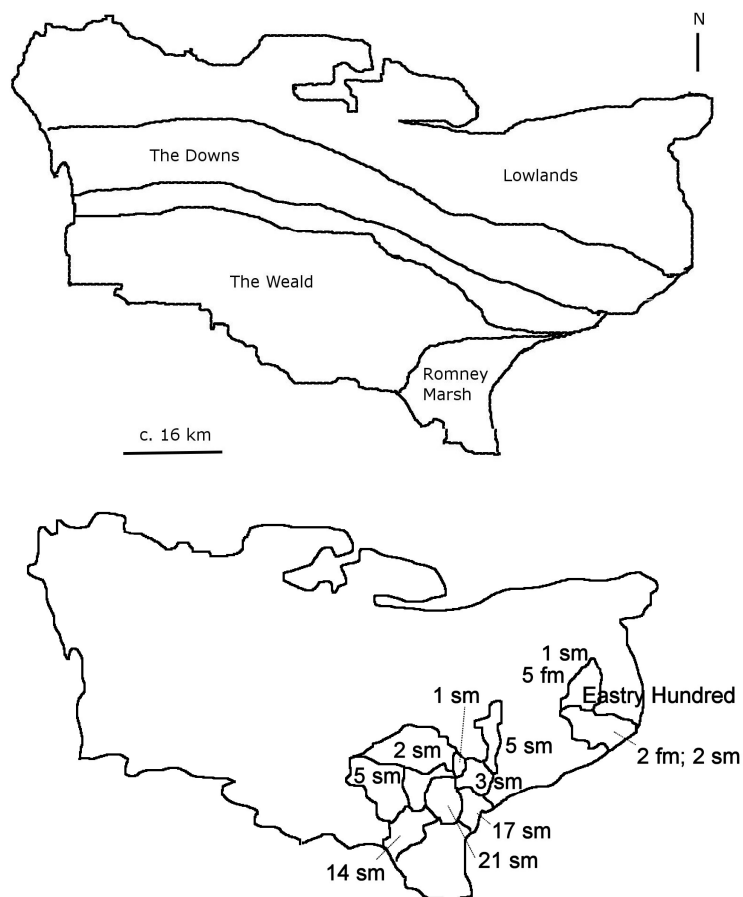
⁴³ Everitt, *Continuity and Colonisation*, p. 179; Faith, *English Peasantry*, p. 135.

inheritance. Davis connected tenure by gavelkind with socage tenure in East Anglia.⁴⁴ The existence of socage tenure in the pre-Conquest period and its particular connection with the tenure of freemen and sokemen already has been questioned earlier in this dissertation, however, and the focus here is upon similarities between gavelkind tenure and the general situation of less dependent tenants both before and after the Conquest. Although it was more characteristic of areas that were less intensively managed, such as the Downs, tenure by gavelkind existed throughout Kent in the post-Conquest period, and Domesday Book records areas of yokeland throughout the county.⁴⁵ The nature of gavelkind tenure would suggest that a large number of individuals with the basic characteristics of sokemen and freemen, even if not called by this terminology, were present throughout Kent at the time of Domesday. The fact that such individuals were not identified in Kent in Domesday Book may reflect recording practices rather than reality (see Chapter Three).⁴⁶

⁴⁴ Davis, 'East Anglia', esp. pp. 33-4.

⁴⁵ Everitt, *Continuity and Colonisation*, pp. 178-9.

⁴⁶ Chapter Three, pp. 112-5.



Map 7.2: Kent in the early medieval period and the distribution of sokemen and freemen in this county.⁴⁷

The distribution of the less dependent tenants who were recorded in Kent can be analysed in more detail. Although other, unrecorded, individuals of this condition may in

⁴⁷ Maps of Kentish regions based on Darby and Campbell, *Domesday Geography of South-East England*, p. 557, fig. 158.

reality have held land throughout the county, a study using those that we can identify is still valuable. Indeed the distribution of unrecorded individuals may have been broadly similar to that of those that were recorded in Domesday Book. The Kentish freemen were recorded on the chalk Downs to the north and in the Lowlands, whereas most of the sokemen were recorded either close to the marshland in the southeast, on the Weald or on the Downs (see Map 7.2). Although the marshland areas of Kent were known for their fertility, difficulties with drainage meant that exploitation of this area was not always worthwhile and the marshes were used primarily for pasture.⁴⁸ The marshes tended to be exploited from their margins, and in the later medieval period by absentee landlords from elsewhere in the county. Both the Weald and the Downs were infertile, wooded regions with pastoral economies and low population densities.⁴⁹ The Weald and the Downs were held primarily by lay landholders, rather than by the king or the Church, at the time of Domesday. Everett has calculated that whereas the Church and the Crown together held ninety-two percent of the estates in the ‘Original Lands’ (the Kentish lowlands) in 1066, they held only nineteen percent of those on the Downs.⁵⁰ The pattern of landholding in these regions also was very fragmented.⁵¹ The marshland, the Weald and the Downs all were located at some distance from centres of lordship.

This distribution may be compared with that of freemen and sokemen in East Anglia. As noted in Chapter Five, sokemen in Cambridgeshire held land in villages associated with several lords and which consequently experienced weaker lordship. These villages often were located on less desirable land and were less likely to be held by the Church.⁵² Freemen and sokemen in East Anglia were not associated with areas of low population density in the same way as less dependent tenants in Kent were, however. The population density of East Anglia was high everywhere except in the

⁴⁸ Everitt, *Continuity and Colonisation*, pp. 57-65.

⁴⁹ Everitt, *Continuity and Colonisation*, pp. 45-9 and pp. 52-7.

⁵⁰ Everitt, *Continuity and Colonisation*, pp. 176-7.

⁵¹ Everitt, *Continuity and Colonisation*, pp. 176-7.

⁵² See Williamson, *Origins of Norfolk*, pp. 119-21 for a similar distribution of freemen in Norfolk.

fenland and areas of poor soils such as the Breckland in Suffolk, and approximately one third of the land area of Suffolk was cultivated in 1086.⁵³ Areas of low population density also were not as significant a part of the East Anglian landscape as they were in Kent, except perhaps in Cambridgeshire where the fens covered much of the northern part of the county.

The size of the landholdings of the Kentish freemen and sokemen recorded in Domesday Book can be compared with those of freemen and sokemen in East Anglia. The mean area of land held by freemen in Kent was one hundred acres; the mean area held by sokemen was twenty-four acres. This is far higher than the areas of land held by freemen and sokemen in Suffolk, but may have been skewed by the presence of a small number of more prosperous individuals.⁵⁴ As in East Anglia, there was considerable variation in the holdings of individual Kentish sokemen. Two freemen in Eastry Hundred held one sulung (120 acres per freeman).⁵⁵ The smallest holdings could be as little as just six acres.⁵⁶ The small size of many of the landholdings recorded as well as the fact that, as in East Anglia, many holdings were shared between a number of individuals, supports the existence of partible inheritance (a feature of gavelkind) and possibly of a land market.⁵⁷ Fourteen sokemen, for example, had three ploughs in Romney Marsh.⁵⁸

The services owed by tenants in Kent were comparable to those owed by sokemen in Cambridgeshire. Although these services are not specifically attributed to freemen and sokemen, Domesday Book records that the king claimed both bodyguard and escort service from certain lathes.⁵⁹

⁵³ Darby, *Domesday Geography of Eastern England*, pp. 97-208 and pp. 264-314; Bailey, *Medieval Suffolk* pp. 67-73 and pp. 90-101.

⁵⁴ Chapter Four, pp. 147-8.

⁵⁵ North Ponshall (DB, I, 9v).

⁵⁶ DB, I, 11v (in Somerden Hundred).

⁵⁷ Baker, 'Open Fields and Partible Inheritance'.

⁵⁸ DB, I, 13r

⁵⁹ DB, I, 1r (Worth Hundred).

There were many similarities between Kent and East Anglia. There also were some differences, however. The population density of Kent was lower and pastoral farming was important in the regions where less dependent tenants were mainly recorded. Most importantly, Kent did not fall within the Danelaw. A key question, considered later in this chapter, is how the social structure of Kent could have been so similar to East Anglia without the influence of Viking invasion and settlement. Did the social structures of East Anglia and Kent both have their origins in the period before the Viking invasions, as Davis argued? Or did the two regions evolve similar social structures but under the influence of different processes?

Hampshire

The four sokemen who, according to a writ of 1053*1066, held land in the manor of Eversley in Hampshire can be compared with less dependent tenants recorded in East Anglia.⁶⁰ In 1066, Eversley was held as four manors in *alod* by four freemen and was assessed at five hides.⁶¹ These four freemen probably are the same four individuals recorded in the earlier writ, or their descendents. They held between 120 and 150 acres each, comparable to areas held by more prosperous East Anglian sokemen. The writ had placed them in the power of Westminster Abbey and they could not alienate their land. Some East Anglian sokemen also could not alienate their lands. The writ indicates the services the sokemen owed the King. Amongst the four, there was a brewer (*medwrihte*) and a housecarl (*huskerall*).⁶² These specific services are different from the occasional, more universal, escort, guard and carrying services owed by the Cambridgeshire

⁶⁰ Harmer, *Writs*, no. 85 (S 1129).

⁶¹ DB, I, 43v.

⁶² Harmer, *Writs*, no. 85 (S 1129).

sokemen. A closer parallel may be found with the *taini regis* and *servienti regis* recorded in the Hampshire folios of Domesday Book, who have been discussed by Lavelle.⁶³ The *taini regis* and *servienti regis* held between half a virgate and three hides, and sometimes held their land *in alod*. By-names given to these individuals, including ‘hunter’ (*uenator*) and ‘porter’ (*portarius*) suggest that they provided high-status services to the king.⁶⁴ The term ‘*taini regis*’ is a post-Conquest usage. In the pre-Conquest period these individuals may have been described as *geneatas* or *cnihtas*, or possibly ‘thegns’.⁶⁵ *Taini regis* appear in a number of Domesday counties besides Hampshire, including many of those in the northern Danelaw.⁶⁶ They were typical of many (but not all – Kent is a notable exception) of the counties in circuits one and two, including Surrey, Hampshire, Wiltshire, Dorset and Somerset. Williams has suggested that although this distribution might have resulted from varying recording practices between circuits, the fact that many of the counties in circuits one and two were in Wessex, where the pre-Conquest kings had ‘exercised [the most] direct authority’ also may have been important.⁶⁷ It should be noted, however, that *taini regis* also were recorded in some counties at some distance from Wessex, in particular those in circuit six, which included much of the Northern Danelaw. *Taini regis* do not appear in Cambridgeshire, Norfolk or Suffolk.

There are two possibilities, therefore. The individuals named in the Hampshire writ may have been subtly different from the East Anglian sokemen, possibly because the proximity of Hampshire to the royal court required more specific types of royal service. In this case, ‘sokeman’ may have referred to different kinds of individuals in different regional contexts. Some more prosperous sokemen in East Anglia may have been similar to those recorded in Hampshire, but the ‘typical’ sokemen in East Anglia may have been different from the ‘typical’ sokemen in Hampshire. Possibly there were

⁶³ Lavelle, “‘All the King’s Men?’”; DB, I, 49v–51v and 53v–54r.

⁶⁴ Lavelle, “‘All the King’s Men?’”, pp. 10–11.

⁶⁵ Chapter One, pp. 31–46.

⁶⁶ Williams, *Norman Conquest*, pp. 110–13.

⁶⁷ Williams, *Norman Conquest*, p. 111.

fewer ‘lower-status’ less dependent tenants in Hampshire than in East Anglia. Royal service also may have been less important to prosperous less dependent tenants in East Anglia than to their counterparts in Hampshire. Equally, it may be that the term ‘sokeman’ was used incorrectly in the writ, perhaps because an individual from East Anglia was involved in its production.⁶⁸ It is difficult to be more precise about the situation in Hampshire from this evidence alone. However, in their association with landholding in dependent tenure in return for service, less dependent tenants in Hampshire may have been more similar to the *geneat* or *cnihtas* of the West Midlands than to the freemen and sokemen of East Anglia.

Variation within the eastern counties

The northern Danelaw

East Anglia and the northern Danelaw both fell within the Danelaw as demarcated by the Alfred-Guthrum Treaty, and numerous less dependent tenants were recorded in both regions at the time of Domesday.⁶⁹ The two areas differed in several respects, however. This section begins with the similarities between the northern Danelaw and East Anglia. It then considers how the two regions can be distinguished from one another, discussing differences in manorial structure, differences in the landholding of the Church and differences in Viking influence.

⁶⁸ Chapter Three, pp. 113-4.

⁶⁹ According to Stenton’s definition, the northern Danelaw comprised Yorkshire, Lincolnshire, Nottinghamshire, Derbyshire, Leicestershire and Rutland. See Stenton, *Manorial Structure*, pp. 3-4. see introduction and map 2

Both regions had significant numbers of less dependent tenants in their populations at the time of Domesday. In Lincolnshire there were 10,882 sokemen recorded in 1086, while 1,704 were recorded in Nottinghamshire.⁷⁰ In Leicestershire and Northamptonshire there were recorded, respectively, 1,903 and 971 sokemen. As in East Anglia, the manorial structure of the northern Danelaw was fragmented. Villages commonly were divided between several manors. Winterton, Lincolnshire comprised four small manors; the berewicks of the manors of Whitton, Coleby and Roxby; and the sokeland of Kirton, West Halton and Scawby and Sturton (berewicks and sokeland are discussed below).⁷¹ Eaton, Nottinghamshire was divided between ten thegns, each with a manor.⁷² In Nottinghamshire, only forty percent of the Domesday villages were held by a single lord in 1066.⁷³ It already has been shown in Chapter Five that in Cambridgeshire villages with divided lordship much of the land was held by independent sokemen. The weaker strength of lordship in villages divided between several lords made it more difficult to bring sokemen into dependence, and lords were less likely to make an effort to bring individuals into dependence in villages where they held only a small proportion of the land. The fragmentation of manors in both the northern Danelaw and East Anglia may partly explain why both regions had many less dependent tenants in their populations at the time of Domesday. The manorial structures of these two regions were in other ways very different, however, and this is discussed in detail below.

Similarities also may be found in the administration of the northern Danelaw and Norfolk and Suffolk. An institution unique to the northern Danelaw and recorded in Domesday Book was the twelve-carucate hundred (the equivalent in the northern

⁷⁰ Figures given in Darby, *Domesday Geography*, pp. 338-43.

⁷¹ Hadley, *Northern Danelaw*, pp. 111-2

⁷² Hadley, *Northern Danelaw*, pp. 111-2

⁷³ Hadley, *Northern Danelaw*, p. 112.

Danelaw of the ‘hundred’ of East Anglia and ‘English’ England was the wapentake).⁷⁴ The twelve-carucate hundred was a small administrative division associated with a variety of functions, including the collection of geld, the allocation of military service and the maintenance of law and order. The hundred witnessed charters and may have had a court. The origins of the twelve-carucate hundred are obscure. While the twelve-carucate assessment might suggest a Scandinavian origin, Hadley has noted that it may simply represent the reassessment of an older unit.⁷⁵ Indeed the lack of coincidence between hundreds and manors in the northern Danelaw, together with the hundred’s communal functions, suggest an origin in an earlier ‘pre-manorial’ society.⁷⁶ While there were no small hundreds in East Anglia, there did exist in Norfolk and Suffolk a similar institution known as the leet.⁷⁷ There is no known institution comparable to the leet or the small hundred in Cambridgeshire or Huntingdonshire. The leet was a subdivision of the hundred that performed fiscal and other functions. Leets are mostly unrecorded in Domesday Book. They appear twice in the Norfolk folios and nowhere in the Suffolk folios.⁷⁸ Most of what is known about leets in Suffolk comes from the *Kalendar* of Abbot Samson, where the composition of the leets within the eight and half hundreds of Bury was recorded in detail. These leets probably also existed at the time of Domesday since the system of geld collection they were designed for appears in Domesday Book.⁷⁹ While Davis claimed that the early leets existed only for the collection of geld, Douglas and, later, Campbell have shown that these leets, like the twelve-carucate hundreds, had courts.⁸⁰

⁷⁴ Hadley, *Northern Danelaw*, pp. 101-4.

⁷⁵ Hadley, *Northern Danelaw*, p. 104.

⁷⁶ Hadley, *Northern Danelaw*, p. 104. See Hart, *Danelaw*, pp. 411-27 for a reconstruction of hundreds and wapentakes in Nottinghamshire.

⁷⁷ See Campbell, ‘Hundreds and Leets’; Finn, *Eastern Counties*, pp. 105-8; Williamson, *Origins of Norfolk*, pp. 130-3; Warner, *Origins of Suffolk*, pp. 159-65, Hart, *Danelaw*, pp. 83-93.

⁷⁸ Campbell, ‘Hundreds and Leets’, p. 157; Williamson, *Origins of Norfolk*, p. 131.

⁷⁹ See Chapter Six, pp. 222-3.

⁸⁰ Davis, ‘Introduction’, in *Kalendar*, p. xxx; Douglas, *Social Structure*, pp. 193-201; Campbell, ‘Hundreds and Leets’, p. 165.

The origins of the East Anglian leets also are unclear. Douglas suggested that the leet was a ‘folk division’ stemming from the Scandinavian invasion, and, elsewhere, that it represented an ‘early’ form of hundred similar to the hundred of the northern Danelaw.⁸¹ Hart suggested that the leets were laid out in c. 917 after the conquest of the Danelaw at the same time, according to his interpretation, that the hundreds of East Anglia were.⁸² It is difficult to know, therefore, if the leets and twelve-carucate hundreds shared a common origin. There were clearly many similarities between the two institutions and any relationship that they may have had with the social structures of their respective regions is important. Campbell suggested that leet courts encouraged popular participation in East Anglia and that ‘consultation and argument’ were involved in the allocation of geld within hundreds and leets.⁸³ He emphasised the importance of the leet as a form of ‘village-based organisation’.⁸⁴ The existence of leets in East Anglia and of the small hundreds in the northern Danelaw may have helped to maintain the independence of some peasants by providing a counter-balance to lordship. This may have been particularly effective if the fragmented manorial structure meant that lordship already was weak in these regions. The existence of leet courts as fora bringing together members of a local community (some of whom may have had considerable local political influence) may have made it more difficult for lords to buy land or to make tenurial changes on their lands. It was possible for the suitors to a village meeting in Chippenham, Cambridgeshire (admittedly not a leet court) to contest a sale of land to Ely Abbey.⁸⁵ The early origins of the manor court are unclear; it has even been suggested that elements of this institution (in particular the court leet that dealt with

⁸¹ Douglas, *Feudal Book*, p. clxvi; Douglas, *Social Structure*, pp. 191-2; Douglas, ‘Fragments of an Anglo-Saxon Survey’.

⁸² Hart, *Danelaw*, p. 93.

⁸³ Campbell, ‘Hundreds and Leets’, pp. 76-7.

⁸⁴ Campbell, ‘Hundreds and Leets’, p. 167.

⁸⁵ LAE ch. 14; LE, ii, ch. 11a.

petty public business) evolved from the public leet courts of East Anglia.⁸⁶ If seigneurial courts existed in any form in the pre-Conquest period, leet courts might have hindered such developments in East Anglia by providing tenants with an alternative form of local jurisdiction.

An important difference between the northern Danelaw and East Anglia is the manorial structure of the two regions. The northern Danelaw was a region of large estates known as sokes, although small manors also existed.⁸⁷ A soke, as already discussed in the Introduction, contained a central manor immediately surrounded by the lord's inland, with outlying dependencies identified in Domesday Book and referred to as berewicks and sokelands. Less dependent tenants normally held sokeland, which often was incorporated into the overall financial and agrarian arrangements of the soke. Whether this kind of soke existed in East Anglia in the pre-Conquest period is unclear. The sokes of Ely and Bury in Cambridgeshire and Suffolk were grants of sake and soke over whole groups of hundreds and were different to the sokes recorded in the northern Danelaw. Sokes in the northern Danelaw were independent of the administrative structure of wapentakes and hundreds, and the soke centre usually was located in a different place to that of the wapentake.⁸⁸ Unlike the abbots of Bury and Ely, lords of territorial sokes in the northern Danelaw did not always possess sake and soke over their tenants, who might have a separate lord for their 'soke lord'. Sokes similar to those in the northern Danelaw were recorded in East Anglia in the post-Conquest period and Douglas and Hart have suggested that these sokes existed in the pre-Conquest period as well.⁸⁹ Douglas has attempted to demonstrate the existence of Necton soke, Norfolk at the time of Domesday.⁹⁰ Immediately after the Domesday entry for Necton, a list of the

⁸⁶ Campbell, 'Hundreds and Leets', p. 159. For an alternative view on the connection between leets and the later leet court, see Warner, *Origins of Suffolk*, p. 159.

⁸⁷ Hadley, *Northern Danelaw*, pp. 108-15; Hart, *Danelaw*, ch. 8; Stenton, *Manorial Structure*, pp. 6-10.

⁸⁸ Hadley, *Northern Danelaw*, p. 105.

⁸⁹ Douglas, *Social Structure*, pp. 180-84; Hart, *Danelaw*, pp. 72-4.

⁹⁰ Douglas, *Social Structure*, p. 180.

other estates belonging to its lord is provided and all of these estates were included within the valuation of Necton. Domesday Book also may be recording a more informal arrangement that only later evolved into the soke of Necton, however. Furthermore, many post-Conquest East Anglian sokes cannot be traced in Domesday Book.

If sokes such as those that existed in the northern Danelaw were not typical of East Anglia in the pre-Conquest period, this might suggest that more than one set of circumstances could lead less dependent tenants to hold land in significant numbers in a given region. In the northern Danelaw, less dependent tenants were found on large, organised, manors, yet retained their independence because they typically held sokeland, over which their lord had only limited rights. In East Anglia, freemen and sokemen typically held land appurtenant to a manor or in a unmanorialised villages. Less dependent tenants may not have been associated with any particular type of manorial structure, therefore. What might have mattered, however, was the extent to which the manorial structure was fragmented and the impact this had upon the strength of lordship and, possibly, upon the way in which lords managed their estates.

There were three other differences between East Anglia and the northern Danelaw. First, land was lost from the Church in the northern Danelaw as a result of the disruption to this region in the ninth and tenth centuries – although the impact of this may not have been as great as is sometimes supposed.⁹¹ North of Watling Street, church demesne typically constituted less than ten percent of the land in each county in 1066.⁹² In East Anglia, the Church held a considerable area of land following the foundation of reformed monasteries in this region from the tenth century. Church demesne constituted between a fifth and a third of the land in each county south of Watling Street and in East Anglia in 1066.⁹³ In Cambridgeshire, there were fewer less dependent tenants on land

⁹¹ Fleming, 'Monastic Lands'; Dumville, 'Ecclesiastical Lands'; Hadley, *Northern Danelaw*, ch. 5, esp. pp. 289-92; Barrow, 'Survival and Mutation'; Blair, 'Secular Minster Churches'.

⁹² Fleming, 'Monastic Lands', p. 249.

⁹³ Fleming, 'Monastic Lands', p. 249; Hill, *Atlas*, fig. 243.

held by or associated with the Church largely because the strength of lordship may have been stronger on such lands.⁹⁴ Similar numbers of less dependent tenants were recorded in both the northern Danelaw and East Anglia, however, despite the fact that the proportion of land held by the Church was much greater in the latter of the two regions. One may conclude, therefore, that while reformed monasteries had a significant local impact upon landholding and social structure, the region as a whole was not greatly affected. This may suggest that the greater proportion of ecclesiastical landholding found in 'English' England is unlikely on its own to be responsible for the social structure of that region.

Second, there may have been more Viking settlement in the northern Danelaw than in East Anglia.⁹⁵ The main evidence for this can be found in place-names. There are fewer place-names of Scandinavian origin in East Anglia.⁹⁶ In Suffolk there are only 3 or 4 place-names with the suffix *-by* compared to 234 in Lincolnshire. Some objections to this view were put forward by Abrams and Parsons, who noted that an absence of Scandinavian place-names may not always indicate an absence of Scandinavian settlement.⁹⁷ Moreover, in Norfolk Scandinavian personal names and field-names occur over a much wider area than the place-name evidence alone indicates.⁹⁸ Considerable amounts of tenth-century Scandinavian style metalwork of a 'modest quality' also have been found in Norfolk, possibly indicating the presence of ordinary people with connections to Scandinavia (although English people may also have used these objects if they were imported from Scandinavia or the northern Danelaw).⁹⁹ Even when these objections are taken into account, however, Scandinavian influence in East Anglia appears different from that in the northern Danelaw. The evidence for Scandinavian

⁹⁴ Chapter Five, p. 184.

⁹⁵ Davis, 'East Anglia', p. 30; Ekwall, 'Scandinavian Element', pp. 81-3.

⁹⁶ Abrams and Parsons, 'Place-names', p. 415.

⁹⁷ Abrams and Parsons, 'Place-names', pp. 411-5; Hadley, *Northern Danelaw*, pp. 329-55.

⁹⁸ Abrams and Parsons, 'Place-names', pp. 415-7.

⁹⁹ Abrams and Parsons, 'Place-names', p. 417.

personal names, field-names and metalwork in East Anglia only really applies to very specific regions of Norfolk, most notably the island of Flegg. Reasons suggested by Abrams and Parsons for the absence of Viking place-names in East Anglia that do not involve a smaller number of settlers include the possibility that Viking settlers gave up their language earlier in East Anglia and so did not coin new place-names; that new place-names were resisted by the local population; or that the settlers were unable to attain ownership of land as they did elsewhere.¹⁰⁰ All these factors might suggest that, regardless of numbers, Scandinavian settlers were somehow less ‘successful’ in East Anglia than elsewhere. The influence of Viking settlement upon the social structure of the Danelaw is considered in the final section of this chapter.

Third, while the northern Danelaw was relatively economically developed by the time of Domesday, with important urban centres such as York, the extent of economic development may not have been as great as in East Anglia. There may have been a land market in the northern Danelaw. Hadley has noted that West Saxon nobles were encouraged to buy land from the Danes in this region prior to the tenth-century conquest and this may have contributed to the fragmented nature of some sokes in the northern Danelaw.¹⁰¹ The extent to which a land market operated at a lower level in this region is unclear, however.¹⁰²

East Anglia and the northern Danelaw were similar in some ways, but different in many others. Similar social structures could develop, therefore, under somewhat different circumstances and in somewhat different regional contexts.

¹⁰⁰ Abrams and Parsons, ‘Place-names’, p. 411.

¹⁰¹ Hadley, *Northern Danelaw*, pp. 155-6.

¹⁰² Hadley, *Northern Danelaw*, p. 158.

Differences within East Anglia

Two key differences may be observed between the less dependent tenants recorded in Cambridgeshire and Huntingdonshire and those recorded in Suffolk. First, there were fewer less dependents tenants recorded in Cambridgeshire and, especially, in Huntingdonshire. This may be partially the result of under-recording.¹⁰³ There probably were more less dependent tenants present in Cambridgeshire and Huntingdonshire than is apparent from Domesday Book. Even when this is taken into account, however, it is still possible that there were more less dependent tenants overall in Suffolk. Second, less dependent tenants held, on average, considerably more land in Cambridgeshire and Huntingdonshire than in Suffolk.¹⁰⁴ Differences in the size of typical holdings may have resulted partly from the fact that holdings in Suffolk were more fragmented than those in Cambridgeshire and Huntingdonshire. Some Suffolk tenants may have held additional land elsewhere that was not recorded in the *Bury Kalendar*. It is still probable, however, that the total holdings of less dependent tenants were, in general, smaller in Suffolk than in Cambridgeshire and Huntingdonshire.¹⁰⁵ There also was more variety in the areas of land held by less dependent tenants in Huntingdonshire and Cambridgeshire than in Suffolk.¹⁰⁶

Was the social structure of Cambridgeshire and Huntingdonshire closer to that of 'English' England than the social structure of Suffolk was? It would appear that social conditions in Cambridgeshire and Huntingdonshire were closer to those which existed in Suffolk than in 'English' England. The manorial structure of Cambridgeshire was more fragmented than elsewhere. In contrast to the radmen recorded in Worcestershire and

¹⁰³ Chapter Three, pp. 120-9.

¹⁰⁴ Chapter Four, p. 150; Chapter Six, pp. 208-17.

¹⁰⁵ Chapter Six, pp. 208-17.

¹⁰⁶ See Graphs 6.1 and 6.2.

Gloucestershire, the Cambridgeshire sokemen recorded in Domesday Book held their land independently of the manorial structure and usually with some freedom of disposition. There may have been significant numbers of less independent sokemen in Cambridgeshire who were unrecorded but it is unclear if such individuals were present in significant numbers in Gloucestershire and Worcestershire.

The local influence of Ramsey and Ely Abbeys may have had some bearing on the situation recorded in Cambridgeshire and Huntingdonshire at the time of Domesday. There was considerable independent landholding on the Isle of Ely before most of this land was purchased by Ely Abbey in the late tenth century.¹⁰⁷ The situation in Huntingdonshire at this time is less clear, but the *Liber Benefactorum* of Ramsey Abbey reveals that this abbey also acquired considerable areas of land in both Huntingdonshire and Cambridgeshire in the late tenth century.¹⁰⁸ Bury St Edmunds in Suffolk, however, was not re-founded until the early eleventh century, and the eight and a half hundreds were granted to the abbey only in 1043 or 1044.¹⁰⁹ The establishment of Ely Abbey, and possibly also Ramsey Abbey, may have lessened the ultimate impact of the land market in Cambridgeshire and Huntingdonshire. Once a considerable area of the land in these counties was held exclusively by the Church, the potential for independent land transactions amongst less dependent tenants may have been reduced. In Suffolk, a greater number of land transactions could have taken place before the Abbey of Bury St Edmunds acquired land and gained influence in the county in the eleventh century. This may have produced the more fragmented pattern of landholding that can be observed in Suffolk at the time of Domesday, and may have led to a situation where the majority of tenants held only relatively small areas of land. It is unclear, however, how this might have increased the overall numbers of less dependent tenants in that county.

¹⁰⁷ Chapter Two, pp. 67-9.

¹⁰⁸ *Chronicon Abbatiae Ramesiensis*, ed. Macray; *Ramsey's Book of Benefactors*, ed. and trans. Edgington.

¹⁰⁹ Harmer, *Writs*, no. 9 (S 1069)

Explaining the differences between East Anglia and 'English' England

The evidence discussed so far has suggested that although Domesday Book may have exaggerated some of the differences between East Anglia and 'English' England, genuine regional differences also existed. In 'English' England, less dependent tenants were more likely to be substantial landholders holding ministerial or other official positions and performing high-status services. There may have been some less dependent tenants of a lower status, but these probably existed in smaller numbers than they did in East Anglia. In East Anglia, less dependent tenants of a high status may have been more likely to exist independently of the manorial organisation (although this does not mean that some individuals holding ministerial tenures were not also present in this region), and they may have been more likely to hold land in their own right than on lease or in return for services. In Norfolk and Suffolk (at least) there also were significant numbers of lower-status less dependent tenants holding small areas of land. It is possible, although difficult to prove, that in 'English' England these individuals were more likely to form part of the dependent peasantry. Kent appears to have been an exception in 'English' England, and the social structure of this region may have had much in common with that of East Anglia. A number of reasons might be suggested to explain differences between East Anglia and 'English' England. This section examines these different possibilities.

Viking invasion and settlement

The impact of the Vikings upon the Danelaw has been the subject of considerable debate. Much early scholarship attributed the 'freer' social structure of East Anglia and the northern Danelaw to Scandinavian influence. This was the view of Seebohm as well as Vinogradoff.¹¹⁰ Later, Stenton argued that the 'rank and file' of the Scandinavian armies, from whom sokemen were descended, had settled the Danelaw and imported their own ideals and social system.¹¹¹ He was followed by Finberg and Dodwell.¹¹² There was always some doubt about the importance of Scandinavian influence, however. Maitland explained the lack of manorialisation in the eastern and northern counties by suggesting that the Danish invasions 'checked the manorialising process' whilst it continued unhindered elsewhere.¹¹³ Moreover, if the Danes had 'freed the districts which they conquered, they had in the same sense enslaved the rest of England', as the demands of fighting against them strained the economy outside the Danelaw and may have hastened the rate of manorialisation.¹¹⁴ According to this theory, the Danelaw did not become different from 'English' England as a result of the Scandinavian invasions; rather there had in fact been less change in the Danelaw than elsewhere. Stubbs argued that the impact of the Danes was minimal.¹¹⁵ Later, Douglas began his study of East Anglia with an open mind as to the importance of Danish influence to this region.¹¹⁶ Davis suggested that the social structure of East Anglia arose

¹¹⁰ Vinogradoff, *English Society*, pp. 440-41; Seebohm, *English Village Community*, p. 87.

¹¹¹ Stenton, 'Danes in England'.

¹¹² Finberg, 'Anglo-Saxon England to 1042', pp. 468-81; Dodwell, 'Free Peasantry of East Anglia', pp. 151-3.

¹¹³ Maitland, *Domesday Book and Beyond*, pp. 339-40.

¹¹⁴ Maitland, *Domesday Book and Beyond*, p. 340.

¹¹⁵ Stubbs, *Constitutional History*, pp. 45-51.

¹¹⁶ Douglas, *Social Structure*, pp. 5-6.

from the fossilisation of older arrangements in the area.¹¹⁷ This was based partially on the idea that the ceorl who held *gafolland* as cited in the Alfred-Guthrum Treaty was a sokeman, meaning that sokemen must have already been present in East Anglia at the time of the Scandinavian invasions. It was suggested in Chapter One that this interpretation of the Alfred-Guthrum Treaty may have been incorrect, however.¹¹⁸ The second half of the twentieth century saw much discussion of the size of Viking armies and the actual numbers of settlers, following important contributions made by Sawyer in the late 1950s.¹¹⁹

The more recent historiography covers several themes. Recent views have emphasised the importance of assimilation over direct conquest and settlement, and the relationship between ethnicity, culture and regional identity has been discussed in this context.¹²⁰ The Viking invasions could have influenced the social structure of the Danelaw even without significant numbers of settlers, and without the Scandinavians needing to ‘import’ a new social structure themselves. The social structure of the region could have been a product of interaction between the Vikings and the native English and of the particular circumstances of invasion. Arguments concerning the survival of earlier social systems in the Danelaw also have been reiterated and developed.¹²¹ It has been

¹¹⁷ Davis, ‘East Anglia’.

¹¹⁸ Chapter One, pp. 49-53.

¹¹⁹ For example, Binns, ‘Tenth-Century Carvings’ (before Sawyer); Sawyer, ‘Density of the Danish Settlement’; Sawyer, *Age of the Vikings*, pp. 123-32; Sawyer, ‘Two Viking Ages of Britain’; Loyn, *Anglo-Saxon England*, pp. 51-65; Loyn, *Vikings in Britain*; Cameron, *Scandinavian Settlement*; Cameron, ‘Linguistic and Place-Name Evidence’; Cameron, ‘Scandinavian Settlement, part II’; Cameron, ‘Scandinavian Settlement, part III’; Fellows-Jensen, *Scandinavian Personal Names*; Fellows-Jensen, *Scandinavian Settlement Names*; Fellows-Jensen, ‘Conquests and Place-Names’; Lund, ‘The Settlers’; Brooks, ‘England in the Ninth Century’; Abrams and Parsons, ‘Place-Names’. For reviews of the debate see Fellows-Jensen, ‘Vikings in England’; Wormald, ‘Viking Studies’.

¹²⁰ For example, Hadley, “‘They Proceeded to Plough and to Support themselves’”; Hadley, *Northern Danelaw*, ch. 6; Trafford, ‘Ethnicity, Migration Theory and Historiography’; Innes, ‘Danelaw Identities’; Hadley, “‘Hamlet and the Princes of Denmark’”; Hadley, “‘Cockles Amongst the Wheat’”; Hadley, ‘Viking and Native’; Keynes, ‘Vikings in England’, pp. 63-73; Reynolds, ‘What Do We Mean by “Anglo-Saxon”?’ , pp. 406-13.

¹²¹ Joy, ‘Sokeright’, p. 422. See also Hadley, *Northern Danelaw*, pp. 190-9.

suggested that the Viking invasion, or, alternatively, the conquest of the Danelaw that followed in the tenth century, may have helped to precipitate change, which might have encouraged the development of a ‘freer’ society in that region. Martin has suggested that the Vikings, or at least the disruption that their presence caused to the local ‘land laws, social customs and hierarchical organisation’, were responsible for the establishment of open fields in northern East Anglia.¹²² He linked the existence of open fields in that region to the presence of less dependent tenants there, who may, in his view, have benefited from the ‘Scandinavian notion of the free peasant’.¹²³ Jones has suggested that the Viking invasions encouraged the ‘emergency conversion’ of land and moveables to bullion.¹²⁴ Burghart and Wareham have suggested that similar processes may have disrupted property relationships making possible new forms of landholding including, possibly, short-term leasing.¹²⁵ Economic growth and commercialisation in the Danelaw may well have benefited less dependent tenants and this is discussed in more detail later in this section.

How far Viking invasion in the ninth century influenced the social structure of the Danelaw remains controversial. It is possible, however, to draw some conclusions. It is probably unlikely that the freemen and sokemen recorded in the Danelaw counties in Domesday Book were the descendents of Viking settlers as Stenton suggested. First, there is no evidence that peasants in Viking Age Scandinavia were especially independent. Despite the shortage of written sources for the region, archaeological evidence in particular has suggested powerful lordship and kingship, although lordly

¹²² Martin, “‘Where most Inclosures be?’”, pp. 133-4. See Banham, ‘Race and Tillage’ for an alternative view.

¹²³ Martin, “‘Where most Inclosures be?’”, p. 133. Other recent discussions of field systems do not repeat these comments, however. See, ‘Oosthuizen, ‘Sokemen and Freemen’; Oosthuizen, *Landscapes Decoded*; Rippon, *Beyond the Medieval Village*; Williamson, *Shaping Medieval Landscapes*; Williamson, ‘Explaining Regional Landscapes’.

¹²⁴ Jones, ‘Transaction Costs’.

¹²⁵ Burghart and Wareham, ‘Agricultural Revolution’.

power may have been less concentrated than in England.¹²⁶ Second, it is difficult to explain why Scandinavians should have come to England in large enough numbers to be the predecessors of Domesday freemen and sokemen, especially given the difficulties and dangers involved in doing so. Third, there is little positive evidence for Viking settlement in East Anglia, despite the large numbers of less dependent tenants recorded there.¹²⁷ Fourth, examples of less dependent tenants can be found not only in the Danelaw but throughout England, particularly in Kent. The social structure of the Danelaw could have been the result of assimilation rather than the arrival of large numbers of settlers, but in this case it still would be necessary to explain the first and last of the four points made above. The Viking invasions were nevertheless a hugely significant event and it would be surprising if they had had no impact at all on the social structure of the region that they most greatly affected. This impact might have involved the survival of older structures, the encouragement of new developments, or, perhaps, a combination of both.

Older structures

The process of manorialisation has been connected with the fragmentation of large multiple estates, precipitating a shift from extensive to more intensive forms of lordship.¹²⁸ More intensive forms of lordship tend to be associated with a more dependent peasantry and a greater emphasis upon labour services as opposed to rents

¹²⁶ Hadley, 'Hamlet and the Princes of Denmark', pp. 108-11. On Scandinavian society, see, Karras, *Slavery and Society*; Sawyer and Sawyer, *Medieval Scandinavia*, pp. 1-26 and pp. 129-43; Graham-Campbell, *Cultural Atlas*, pp. 38-75.

¹²⁷ See above, pp. 274-5.

¹²⁸ For example, see Faith, *English Peasantry*, chs. 1-6.

and renders. It might be possible to connect the sokes of the northern Danelaw, with their detached sokeland and populations of sokemen, with older multiple estates. Such structures are less apparent in East Anglia but this does not mean that older social relationships may not have been preserved in some other way. Oosthuizen has connected an ancient royal estate in eastern Cambridgeshire to the significant numbers of sokemen recorded in that region.¹²⁹ Warner has discussed the existence of older territorial structures in Suffolk, although he does not connect this specifically to the social structure of the county.¹³⁰

There are, however, fundamental problems with arguments concerning the preservation of older structures in East Anglia, or indeed, in the northern Danelaw. First, there is considerable evidence for more recent change. Although some of the sokes in the northern Danelaw had older origins, many were created piecemeal in the years following the Viking settlement of the region, sometimes via the land market.¹³¹ The *Libellus Æthelwoldi* demonstrates how a local landscape could be transformed completely in a very short period of time.¹³² If we did not have this evidence, and for many parts of East Anglia such detailed evidence does not exist, the soke of the two hundreds of Ely as it appears in Domesday Book might be interpreted as a unified region of some antiquity. Second, the shortage of reliable evidence for the pre-Conquest period, especially for the earlier part of the period, makes it difficult to identify reliably older territorial or manorial structures, and to connect such features to local social structures is even more difficult. Third, it is possible to find evidence for the survival of older structures outside East Anglia and the northern Danelaw, for example in Northumbria

¹²⁹ Oosthuizen, 'Sokemen and Freeman'.

¹³⁰ Warner, *Origins of Suffolk*, pp. 164-5; Warner, 'Territorial and Administrative Organisation in East Suffolk'.

¹³¹ Hadley, *Northern Danelaw*, pp. 119-54. See Roffe, 'Decoding Domesday', pp. 291-305 for the difficulties associated with the reconstruction of older structures.

¹³² Chapter Five, p. 193.

and southern Scotland.¹³³ Although less dependent tenants were recorded in these regions, this was not on the same scale as in the eastern counties. The lathes of Kent might be another example, although the social structure of this county does appear to have been similar to that of East Anglia (the significance of the Kent is discussed later in this chapter). In particular, the large estate described in the early eleventh-century Tidenham survey covered several villages and might have had something in common with an older multiple estates. Yet this manor was located in Gloucestershire.

The wealth of East Anglia

A number of commentators have compared the wealth of medieval East Anglia to that of ‘English’ England.¹³⁴ Seventeen percent of the (recorded) Domesday population could be found in Norfolk and Suffolk and eighteen percent of the Domesday land value was concentrated in Norfolk, Suffolk and Essex.¹³⁵ Although the Domesday population may have been more accurately recorded in these counties than elsewhere, post-Conquest surveys suggest that the population density of this region was nevertheless relatively high.¹³⁶ Norfolk and Suffolk have produced the highest number of stray finds of coinage from the pre-Conquest period, suggesting a high degree of monetisation in the region.¹³⁷ The importance of the East Anglian land market has been noted already in Chapter Two.¹³⁸ Viking invasion may have encouraged economic

¹³³ For example, Barrow, *Kingdom of the Scots*, ch. 1.

¹³⁴ For example, Hutchinson, ‘Origins of Kings Lynn?’; Campbell, ‘Hundreds and Leets’, pp. 166-7; Hart, *Danelaw*, pp. 103-8.; Bailey, *Medieval Suffolk*, pp. 19-27 and pp. 62-3; Wickham, *Framing*, pp. 809-14.

¹³⁵ Darby, *Domesday England*, p. 336; Corbett, ‘Duchy of Normandy and the Norman Conquest’, p. 507.

¹³⁶ Hallam, ‘Population Movements’, pp. 536-7.

¹³⁷ Metcalf, ‘Monetary Circulation’, pp. 171-2.

¹³⁸ See Chapter Two, pp. 77-89.

growth and commercialisation. But the wealth of East Anglia stemmed from other factors too. The region may have benefited from trade across the North Sea. Agriculture may have been especially productive in the region partly because of its favourable warm and dry climate. Yield ratios in eastern England were relatively high according to manorial accounts from the 1280s and 1290s.¹³⁹ The commercial production of wool, probably an important product in the eleventh-century economy, certainly took place in East Anglia in the post-Conquest period and this may have been the case earlier as well.¹⁴⁰ And importantly, it has been suggested that East Anglia already was unusually commercialised before the ninth century.¹⁴¹

Increased wealth and commercialisation may have influenced social structure in two ways. First, less dependent tenants may have been less likely to succumb to the pressures of lordship where they were economically strong.¹⁴² Second, a wealthy and commercialised economy may have facilitated forms of estate management based on the collection of rents rather than customary labour. It is only useful to extract rents from tenants if they are producing a satisfactory surplus.¹⁴³ Indeed, small producers in the fourteenth century could achieve returns from their lands greater than those typical of demesne agriculture since they worked the land more intensively, meaning that it could be very profitable to rent land out for money payments providing that a minimum level of wealth existed.¹⁴⁴ Lords also may have used hired labour in East Anglia in the eleventh century. Indeed, the available labour of less dependent tenants (perhaps as hired workers) has been used to explain the lack of slavery in the region.¹⁴⁵ An active land

¹³⁹ Hallam, 'Eastern England', pp. 289-93.

¹⁴⁰ Bailey, *Medieval Suffolk*, p. 23. For the importance of wool see, Sawyer, 'Wealth of England', pp. 161-3; Maddicott, 'Prosperity and Power', esp. pp. 54-7.

¹⁴¹ Wickham, *Framing*, pp. 809-14; Pestell, 'Afterlife of "Productive" Sites'. See also, Moreland, 'Significance of Production'; Maddicott, 'Prosperity and Power'.

¹⁴² Chapter Five, pp. 189-90.

¹⁴³ Harvey, 'Demesne Agriculture', pp. 70-1.

¹⁴⁴ Stone, *Decision Making*, pp. 262-72.

¹⁴⁵ Moore, 'Domesday Slavery', p. 203 and p. 205.

market also may have benefited more prosperous less dependent tenants by providing opportunities to acquire and extend lands without needing to obtain grants or leases from lords.

The socio-economic structure of East Anglia might be viewed as somewhat precocious in comparison to that elsewhere in England. In the western counties, there is evidence that some lords were commuting labour services and using hired labour in the post-Conquest period as this allowed greater flexibility with regard to estate management.¹⁴⁶ Such strategies may have been used earlier in East Anglia, perhaps sufficiently early that large, consolidated manors with dependent peasant populations were never established to the same extent in East Anglia as they were in the west.

It should be noted, however, that the economy of Kent was not as well developed as that of East Anglia in the medieval period, despite the similarities in social structure that the two regions shared. While Kent benefited from trade with the continent in the middle Saxon period, large parts of the county, most notably the Weald and the Downs where most less dependent tenants held land, remained undeveloped.¹⁴⁷ It is possible that in this county it was the relatively isolated and difficult landscape of the Weald and the Downs, characterised by extensive pastoral agriculture, which enabled the less dependent tenants in that county to retain their independence.¹⁴⁸

¹⁴⁶ Chapter Three, pp. 116-8; Chapter Six, pp. 203-6; pp. 259-60 above.

¹⁴⁷ Wickham, *Framing*, pp. 808-9; Brookes, 'Early Anglo-Saxon Framework'; Everitt, *Continuity and Colonisation*, pp. 20-39.

¹⁴⁸ Everitt, *Continuity and Colonisation*, pp. 172-80.

Partible inheritance

Partible inheritance, a feature of both Kent and the Danelaw, was discussed in some detail in Chapter Six. Partible inheritance might be linked to the social structure of these regions. Over time, the partition of land amongst siblings may have resulted in a situation where a large number of individuals held enough land so as to be able to maintain a degree of independence, but yet the area of land that each held was relatively small. The fragmentation of holdings as a result of partible inheritance, especially when combined with the effects of the land market, might have made it more difficult for lords to extract labour services and encouraged a focus on rents instead. There are, however, several problems associated with this interpretation. There is almost no evidence for the inheritance practices of the peasantry in the pre-Conquest period and Faith has suggested that partible inheritance was the norm throughout England in the pre-Conquest period with regional differences developing only at a later point.¹⁴⁹ If this is true, partible inheritance can hardly be used to explain the distinctiveness of the Danelaw (although regional differences in inheritance practices could have developed after the Conquest perhaps in response to existing differences in social and manorial structures). Moreover, the real impact of partible inheritance even in the post-Conquest period has been questioned.¹⁵⁰ For these reasons, it is very difficult to know what role partible inheritance had in the social structure of the pre-Conquest Danelaw.

¹⁴⁹ Faith, 'Peasant Families and Inheritance Customs', pp. 78ff.

¹⁵⁰ See Chapter Six, pp. 213-6. Smith, 'Families and their Property', pp. 38-68; Schofield, 'Market in Free Land', pp. 288-9; Baker, 'Open Fields and Partible Inheritance', pp. 19-20; Williamson, 'Norfolk: Thirteenth-Century', pp. 42-5.

Patterns of landholding and lordship

The fragmented manorial structure of East Anglia may have had a significant impact upon the social structure of the region. How might such a manorial structure have come about? There are three possibilities. First, the Viking invasions of the ninth century and the subsequent conquest of the region may have severely disrupted patterns of landholding. Second, the distance of East Anglia from Wessex meant that there were fewer royal estates and fewer large, old and consolidated ecclesiastical estates in the region. Third, the land market encouraged lords as well as lower-status individuals to buy and sell land, encouraging fragmentation and complexity.

The benefit to less dependent tenants of a fragmented manorial structure has already been discussed.¹⁵¹ The manorial structure of East Anglia also may have made large demesnes, such as those in the West Midlands discussed earlier in this chapter, more difficult to maintain and this might have encouraged forms of estate management based on rents rather than customary labour. It is, however, unclear whether a fragmented manorial structure did indeed come first, or whether fragmented structures developed only because the forms of estate management practised did not require more consolidated estates. A more fragmented manorial structure probably made it easier for more prosperous less dependent tenants to acquire their own small estates without lordly intervention. Small areas of land of little interest to lords may have been widely available in the most fragmented villages.

¹⁵¹ Chapter Five, p. 185.

Discussion

Less dependent tenants probably were under-recorded in the West Midlands and, possibly, in the central-southern region as well. The unrecorded less dependent tenants in these regions probably were semi-independent rent-payers. Such individuals appear only fleetingly in the Domesday evidence for Gloucestershire and Worcestershire, but there are enough references in pre-Conquest sources to infer their presence. There were, however, several real differences between Worcestershire, Gloucestershire and Hampshire, and East Anglia. Kent, on the other hand, appears to have been similar to East Anglia.

Differences between certain parts of 'English' England and East Anglia might have resulted from a combination of mutually reinforcing factors. In East Anglia, a fragmented manorial and tenorial structure may have been directly related to the economic development of the region. While a complex manorial structure may have contributed to the social structure of East Anglia on its own, it also necessitated a policy of estate management based on the collection of rents and dues from a relatively independent tenantry, rather than one based on large demesnes and labour services. The impact of Viking invasion and settlement may have been an important factor in East Anglia, but it may not have been critical to the development of the region's social structure. The social structure of East Anglia may have diverged from that of much of 'English' England prior to the late ninth century, and the region subsequently may have followed a different path of development. In Kent, the nature of the landscape appears to have been more important than economic development in determining the social structure of the county; Viking invasion and settlement played no role. The northern Danelaw was subject to similar processes as East Anglia was (although the Viking impact may have been greater in the north) yet the two regions developed in slightly

different ways, especially in respect of their manorial structures. The factors influencing social structure in this period were complex and varied therefore.

Conclusion

This dissertation has focused on four themes. First, and most importantly, the dissertation has considered the socio-economic and tenurial position of less dependent tenants in tenth- and eleventh-century East Anglia. Related to this has been the extent of social mobility and the relationship between the position of less dependent tenants and that of others elsewhere in the hierarchy. The second theme has concerned the local distribution of less dependent tenants, and the factors that may have affected this. The third and fourth themes have comprised, respectively, the reliability of the Domesday evidence for less dependent tenants, and the extent to which real differences may have existed between East Anglia and ‘English’ England. This final section will consider each of these themes in turn.

Previous historiography has sought to define sokemen and freemen (as well as less dependent tenants in general) as a group, and to link these individuals with specific social obligations and forms of tenure. Stenton, following in part Maitland and Vinogradoff, emphasised relative independence of tenure, the obligation to provide suit of court and the ability pay one’s own taxes.¹ Joy has argued that sokemen in particular were defined uniquely by the rendering of ancient royal dues.² Faith has connected less dependent tenants with the tenants of what she terms the ‘warland’, land upon which public burdens were due and which was relatively free from lordly control.³ These

¹ Stenton, *Anglo-Saxon England*, pp. 151-16. See also, Maitland, *Domesday Book and Beyond*, pp. 66-79; Vinogradoff, *English Society*, pp. 411-13; Seebohm, *English Village Community*, p. 88; Loyn, *Anglo-Saxon England*, pp. 57-8

² Joy, ‘Sokeright’, pp. 288-90.

³ Faith, *English Peasantry*, esp, chs. 4 and 5.

definitions do not acknowledge the extent of complexity and variety in the real social situation, however. As shown in Chapters One, Four and Six, individual less dependent tenants could hold as little as a few acres of land or as much as several hides. Individuals might hold land on loan from a lord, they might hold rented land (*gafolland*), or they might hold land in their own right. According to Domesday Book, some could leave their land without permission from a lord; others could leave provided that ties of soke or commendation remained with the land; others still could leave with their lord's permission; and some could not leave under any circumstances. As noted in Chapters One and Two, many less dependent tenants owed 'higher-status' obligations to their lords or to the king (or both), including, in particular, services involving riding. Such individuals had an important role in the operation of local society. Others, however, owed mainly agricultural obligations which were not entirely dissimilar from those owed by the more dependent peasantry.

Indeed, the conditions of less dependent tenants appear frequently to have overlapped with those of the groups immediately above and below them in the social hierarchy. This might be illustrated in relation to tenure. Both less dependent tenants and dependent *geburas* might hold *gafolland*. Equally, both less dependent tenants and members of the aristocracy might hold land on lease in return for high-status services. Similarly, the often cited connection between less dependent tenants and royal service appears to have been a function of their relative socio-economic position rather than a defining feature of the group itself. Both some prosperous sokemen and some minor thegns performed royal services in Domesday Cambridgeshire, possibly because these services required free time and access to expensive resources (such as riding horses) if they were to be performed effectively. The degree of overlap between the conditions of less dependent tenants and those of other social groups may be reflected in the possibilities for upward and downward social mobility that existed in the late Anglo-

Saxon period.⁴ According to the text *Gebyncþo*, a ceorl could obtain the rank of thegn if he acquired a sufficient amount of land and performed the requisite services. The status was not, apparently, dependent on birthright. Although it is difficult to be certain how common such mobility was in practice, opportunities must certainly have been created by the land market and by grants of land made in return for service to the king or another lord. Equally, it was possible for *geburas* to move into the ranks of the less dependent tenants if they could buy themselves out of their dependent situation, or if they were bequeathed full rights over their tenements by a lord.⁵ Less radical changes in the economic and social position of less dependent tenants also were possible, and, as discussed in Chapter Two, the land market may have played a crucial role in this.

Less dependent tenants occupied, therefore, a wide spectrum of socio-economic statuses between the more dependent peasantry and the aristocracy. Although surviving pre-Conquest documents focus on the high-status obligations of more prosperous less dependent tenants, the more comprehensive record provided by Domesday Book would suggest that the majority of the group (in East Anglia at least) were relatively poor, perhaps not dissimilar in economic condition to the dependent peasantry. What probably distinguished these poorer freemen and sokemen from the dependent peasantry was their relative independence. If their conditions can be compared with those of the *gebur* and the *cotsetla* described in the *Rectitudines*, the dependent peasantry in East Anglia probably owed heavy labour services and may have paid relatively little of their rent in cash (or in kind assessed according to a cash value). There may also have been an element of uncertainty in the labour services expected of these individuals. The labour of

⁴ On social mobility, see Stenton, 'Thriving of the Anglo-Saxon Ceorl', pp. 9-11; Runciman, 'Accelerating Social Mobility'; Faith, *English Peasantry*, pp. 126-77; Sawyer, 'Wealth of England'; Senecal 'Keeping up with the Godwinesons'; Stafford, *Unification and Conquest*, pp. 201-16; Fleming, 'New Wealth'; Gillingham, 'Thegns and Knights'; Lavelle, "'All the King's Men?'"'; Williams, 'A Bell-House and a Burgh-Geat'; Wormald, *Making of English Law*, I, pp. 457-8; Campbell, 'Aspects of Nobility and Mobility'.

⁵ See Whitelock, *Wills*, no. 38 (S 1525a).

the *cotsetla* always needed to be available.⁶ Freeman and sokemen, on the other hand, probably owed lighter labour services and probably paid a larger proportion of their rent in cash or its equivalent. Less dependent tenants also may have found it easier in comparison to the dependent peasantry to leave their holdings. Some of those recorded in Domesday Book were unable to grant or sell their land, but it does not follow from this that they could not leave at all. The distinction between the relative ‘independence’ of the freemen and sokemen and the relative ‘dependence’ of others appears to have become, to lords at least, of considerable importance. The distinction was maintained throughout Domesday Book in the eastern counties, even where there may have been little practical difference in the economic conditions of the two groups. Some of the important economic and social differences between the less dependent and the more dependent peasantry that were outlined above later became tests of villeinage.⁷ Clearly, as discussed Chapter Six, the common law added a new legal dimension to this, while the artificiality of common law villeinage, as well as various socio-economic developments in the twelfth century, means that the social structure of the common law period can never be directly compared with that which existed before. Nevertheless, distinctions based on socio-economic status in the pre-Conquest period may, partially, have paved the way for the introduction of common law villeinage in the later twelfth century. The distinction between freemen and sokemen in Domesday Book, although inconsistently applied, also was based on relative independence and also may have been reflected in the ways in which less dependent tenants were subsequently categorised in the twelfth and thirteenth centuries.

In Chapter Five, it was demonstrated that the proportions of land held by less dependent tenants (or at least the most independent and prosperous less dependent tenants) varied significantly between villages, even between those that were situated

⁶ RSP, cl. 3. ‘*his weorc sceal beon oftræde*’.

⁷ Faith, *English Peasantry*, ch. 10.

relatively close together. This variation may have been largely caused by local differences in the strength of lordship. In villages under the influence of a single lord, less dependent tenants held little land. The opposite was true in villages under the influence of several lords. The strength of lordship itself may have been determined by a variety of factors, including the type of lord predominating in a village (whether ecclesiastical, royal or lay), land quality and topography. Indeed, one may identify two broadly different kinds of villages – those located on desirable land, in the hands of a single lord, and where only a small proportion of the land was held by independent less dependent tenants, and those located on less desirable land, held by a number of lords, where a considerable proportion of the land might be held by independent less dependent tenants. These local distinctions might have been long standing, but they also might have arisen out of short-term developments, illustrated, for example, by the rapid acquisition of land by Ely Abbey in the tenth century. Local variations in the strength and nature of lordship not only influenced where less dependent tenants held their land, but also the precise degree of dependence that such individuals experienced. Chapters Four and Six discussed the particular condition of the freemen and sokemen in the soke of Bury St Edmunds in Suffolk, who may have been in a more dependent situation than those who held land elsewhere.

The above discussion has implications for debates over the extent of manorialisation in the late Anglo-Saxon period. It is clear that levels of manorialisation could, for a variety of local factors, vary considerably even across a relatively small area. The extent of manorialisation also could, depending on specific locality, change rapidly or slowly over time, and in either direction. Levels of manorialisation increased on the Isle of Ely in the late tenth century, and it is likely that broadly similar situations existed elsewhere. Indeed, the purchase of land from less dependent tenants by powerful lords may have contributed to the downward social mobility of less dependent tenants in some places. Yet it is also the case that the situation of some peasants improved between

the tenth and twelfth centuries. Pre-Conquest wills suggest that both less dependent tenants and more dependent peasants could be granted significant areas of land by their lords. In Chapter Three, it was suggested that the depression of less dependent tenants following the Conquest may not have been as severe as has been claimed.⁸ Numbers of less dependent tenants increased during the twelfth century in some areas through assarting and through the willingness of some lords to commute labour services.

Local variation in social structure in the pre-Conquest period arose out of the influence that various local factors had upon the strength and nature of lordship. Chapter Seven would suggest that broader regional variations may have arisen in a similar way. In Chapter Three it was shown that Domesday Book exaggerates the regional distinctiveness of East Anglia through its inconsistent use of terminology and through the under-recording of less dependent tenants in some counties. There was nevertheless an important difference between East Anglia and 'English' England. While prosperous less dependent tenants (often holding official positions and performing high-status services) existed in both regions, those in the east were perhaps more likely to hold their land independently and in their own right than those in the west. Equally, there were far fewer small independent rent-payers in 'English' England, individuals who are (perhaps as a consequence) almost invisible in Domesday Book.

These differences were not, as Stenton suggested, a result of a social structure imported by the Vikings, but instead arose from mutually reinforcing factors which have their origins in the period before the ninth-century invasions. Such factors may, however, have been exacerbated and perpetuated by the impact of Scandinavian settlement and invasion. East Anglia was unusually economically developed in the pre-Conquest period, and was wealthy even before the late ninth century. This situation contributed to the importance of the land market in East Anglia and also made possible and profitable a system of estate management based on the collection of rents and dues

⁸ See Chapter Three, pp. 129-133.

from a relatively independent peasantry, as well as, possibly, the employment of wage labourers drawn from this group. At the same time, lordship was less concentrated in this region and the manorial and tenorial structure was weaker. This may have been partially because the land market promoted high levels of fragmentation. Equally, a fragmented manorial structure was closely related to less intensive estate management policies. East Anglian society thus diverged from that of much of 'English' England at a relatively early, pre-Viking, date.

Kent and the northern Danelaw add complexity to this picture. The social structure of Kent seems similar to that of East Anglia, yet it may have been the product of subtly different processes. The nature of the landscape, rather than precocious economic development, may have been most important in creating a fragmented manorial structure and a less dependent peasantry in parts of this county. This situation developed without the influence of Viking invasion and settlement. The social structure of the northern Danelaw was similar to that of East Anglia. The manorial structures of both regions were fragmented and both regions experienced Scandinavian influence. Yet the northern Danelaw also was different from East Anglia in many ways and may, possibly, have been influenced by Viking settlement to a greater extent than East Anglia was. Different social structures developed in different regions of early medieval England as a result of different processes. Equally, different processes could sometimes lead to the development of very similar social structures. When discussing social structure and the extent of manorialisation in this time period it is necessary to consider not just one situation or set of processes, but rather a multiplicity of different local and regional situations. This dissertation has suggested, however, that much local and regional variation in social structure stemmed from variations in the strength of lordship, influenced by numerous long and short term factors with the realities of estate management being especially important.

This dissertation has emphasised the difficulties involved in applying generalisations to the social structure of late Anglo-Saxon England. The extent of complexity and local variation in the situation of the peasantry in the post-Conquest period has long been acknowledged.⁹ There is clearly a need for more work of that character on the pre-Conquest period. The shortage of contemporary evidence and the difficulties inherent in the use of Domesday Book pose a problem. However, with the careful correlation of post-Conquest evidence and Domesday Book with the pre-Conquest evidence that is available, as well as an understanding of the limitations of Domesday Book, such difficulties need not be insurmountable.

⁹ For example, Miller, *Abbey and Bishopric*, ch. 5; Douglas, *Social Structure*; Kosminsky, *Studies in Agrarian History*, ch. 4; Lennard, *Rural England*, chs. 9 and 11; Dyer, *Lords and Peasants*, ch. 4; Dyer, *Standards of Living*, ch. 5; Dyer, *Making a Living*, ch. 5; Hanawalt, *Ties that Bound*; Schofield, *Peasant and Community*; Bailey, *Medieval Suffolk*, ch. 3; Smith, *Land, Kingship and Lifecycle*, pp. 87-195; Bailey, *Medieval Suffolk*, ch. 3; Hatcher, 'English Serfdom'; Bailey, 'Villeinage in England'.

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